

**Prepared by and
Should be returned to:**

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Space above reserved for Recording

RECORDING COVER SHEET

**BATAVIA PARK DISTRICT
KANE AND DUPAGE COUNTY, ILLINOIS**

ORDINANCE NO. 418

AN ORDINANCE GRANTING DISCONNECTION OF 41W145 FABYAN PARKWAY

ADOPTED BY THE
PARK DISTRICT BOARD OF COMMISSIONERS
BATAVIA PARK DISTRICT

THIS 16 DAY OF July, 2024

**BATAVIA PARK DISTRICT
ORDINANCE #418**

AN ORDINANCE GRANTING DISCONNECTION OF 41W145 FABYAN PARKWAY

WHEREAS, the Batavia Park District, Kane County, Illinois (“the District”), is a duly organized special district under the Park District Code 70 ILCS 1205/1-1 et seq.;

WHEREAS, the owners of 41W145 Fabyan Parkway (“the Property”) seek to disconnect the Property from the District;

WHEREAS, the Property is upon the border of the District and, if disconnected, the Property would not separate any part of the District;

WHEREAS, the owner of the Property filed a voluntary petition to disconnect the Property from the District on June 13, 2024;

WHEREAS, the petition to disconnect is attached hereto as Exhibit “A”;

WHEREAS, the legal description of the Property is attached hereto as Exhibit “B”;

WHEREAS, the majority of the owners of record of the Property and the owners of more than one-half the area of the Property signed the petition;

WHEREAS, the District is authorized to disconnect territory according to 70 ILCS 1205/3-6;

WHEREAS, the petition has been on file with the District for at least 30 days before its consideration by the Board of Park Commissioners of the District as required by 70 ILCS 1205/3-6; and

WHEREAS, the petition was accompanied by a certificate of the Kane County Treasurer showing that all taxes or assessments due up to the time of presenting the petition have been fully paid;

NOW, THEREFORE, BE IT ORDAINED by the Board of Park Commissioners of the Batavia Park District, Kane County, Illinois, as follows:

SECTION 1: The foregoing recitals are hereby incorporated into this Ordinance as though fully set forth into this Section 1.

SECTION 2: Pursuant to the authority granted by 70 ILCS 1205/3-6, the Board of Park Commissioners of the Batavia Park District hereby disconnects the Property, LEGALLY DESCRIBED IN EXHIBIT B, from the District.

SECTION 3: The Secretary of the Board of Park Commissioners is directed to file a

certified copy of this Ordinance with the relevant County Clerks, record a copy of the Ordinance with the relevant County Recorders' Offices, and take all actions necessary to implement this Ordinance's terms.

SECTION 4: All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 5: This Ordinance shall be in full force and effect following its passage and approval as required by law.

Adopted this 16th day of July, 2024 by roll call vote of the members of the Board of Park Commissioners, as follows:

Roll Call:

Ayes: 4 _____

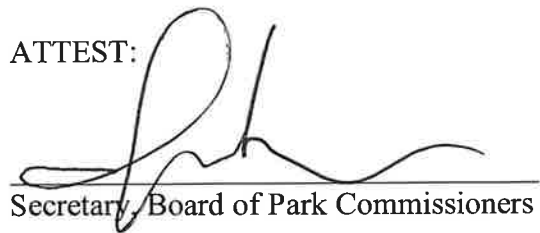
Nays: 0 _____

Absent: 1 _____

Abstain: 0 _____



President, Board of Park Commissioners

ATTEST:


Secretary, Board of Park Commissioners

Exhibit A

**Petition for Disconnection
(attached)**

Exhibit B

Legal Description of the Properties

Parcel Number: 11-24-100-011

Address: 41 W145 Fabyan Parkway, Elburn IL, 60119

THAT PART OF THE NORTHEAST QUARTER OF SECTION 23 AND PART OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 88 DEGREES, 59 MINUTES, 38 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER 2088.28 FEET; THENCE SOUTH 5 DEGREES, 16 MINUTES, 25 SECONDS WEST 2548.11 FEET TO A LINE DRAWN PARALLEL WITH AND 50 FEET NORTHERLY OF THE CENTER LINE OF MAIN STREET (MEASURED AT RIGHT ANGLES TO SAID CENTER LINE); THENCE NORTH 86 DEGREES, 12 MINUTES, 49 SECONDS WEST ALONG SAID PARALLEL LINE 1900.9 FEET; THENCE NORTH 3 DEGREES, 47 MINUTES 11 SECONDS EAST AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 843.19 FEET; THENCE NORTH 86 DEGREES, 12 MINUTES, 49 SECONDS WEST AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 1193.44 FEET TO THE CENTER LINE OF KANEVILLE ROAD; THENCE NORTH 31 DEGREES, 20 MINUTES, 54 SECONDS EAST ALONG THE CENTER LINE OF SAID KANEVILLE ROAD 282.0 FEET; THENCE SOUTH 86 DEGREES, 12 MINUTES, 49 SECONDS EAST 922.0 FEET; THENCE SOUTH 31 DEGREES, 20 MINUTES, 54 SECONDS, WEST PARALLEL WITH THE CENTER LINE WITH THE CENTER LINE OF SAID KANEVILLE ROAD 282.0 FEET; THENCE NORTH 86 DEGREES, 12 MINUTES, 49 SECONDS WEST PARALLEL WITH THE PENULTIMATE DESCRIBED COURSE 922.0 FEET TO THE POINT OF BEGINNING, IN BLACKBERRY TOWNSHIP, KANE COUNTY, ILLINOIS.

SUBJECT TO: Covenants, conditions and restrictions of record and building lines and easements, if any, provided they do not interfere with the current use and enjoyment of Real Estate; and general real estate taxes not due and payable at the time of Closing.

BEFORE THE
BOARD OF COMMISSIONERS OF THE BATAVIA PARK DISTRICT
KANE COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION
FOR THE DISCONNECTION OF CERTAIN
TERRITORY FROM THE BATAVIA PARK DISTRICT

PETITION FOR DISCONNECTION


The undersigned petitioners, as owners of the real property hereinafter described, and pursuant to Section 3-6 of the Illinois Compiled Statutes 70 ILCS 1205/3-6, respectfully petition the governing board of the Batavia Park District ("District") to adopt a resolution disconnecting the following described territory from the District.

In support of this petition, the petitioners state as follows:

1. The petitioners are the owners of record of all the land legally described and attached hereto as Exhibit A ("Subject Property")
2. The Subject Property is located upon the border but within the corporate boundaries of the District.
3. The Kane County Treasurer has certified that all taxes or assessments due from the Subject Property to the District have been paid. See Exhibit B attached hereto.

Wherefore, the Petitioners respectfully request that the governing board of the District disconnect the Subject Property from the District by means of an appropriate ordinance.

Respectfully Submitted:
Brittany Lerdal

Signature: 

Date: 05/29/2024

PETITION FOR DISCONNECTION

Exhibit A

Parcel Number: 11-24-100-011

Address: 41W145 Fabyan Parkway, Elburn IL, 60119

THAT PART OF THE NORTHEAST QUARTER OF SECTION 23 AND PART OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 88 DEGREES, 59 MINUTES, 38 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER 2088.28 FEET; THENCE SOUTH 5 DEGREES, 16 MINUTES, 25 SECONDS WEST 2548.11 FEET TO A LINE DRAWN PARALLEL WITH AND 50 FEET NORTHERLY OF THE CENTER LINE OF MAIN STREET (MEASURED AT RIGHT ANGLES TO SAID CENTER LINE); THENCE NORTH 86 DEGREES, 12 MINUTES, 49 SECONDS WEST ALONG SAID PARALLEL LINE 1900.9 FEET; THENCE NORTH 3 DEGREES, 47 MINUTES 11 SECONDS EAST AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 843.19 FEET; THENCE NORTH 86 DEGREES, 12 MINUTES, 49 SECONDS WEST AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 1193.44 FEET TO THE CENTER LINE OF KANEVILLE ROAD; THENCE NORTH 31 DEGREES, 20 MINUTES, 54 SECONDS EAST ALONG THE CENTER LINE OF SAID KANEVILLE ROAD 282.0 FEET; THENCE SOUTH 86 DEGREES, 12 MINUTES, 49 SECONDS EAST 922.0 FEET; THENCE SOUTH 31 DEGREES, 20 MINUTES, 54 SECONDS WEST PARALLEL WITH THE CENTER LINE WITH THE CENTER LINE OF SAID KANEVILLE ROAD 282.0 FEET; THENCE NORTH 86 DEGREES, 12 MINUTES, 49 SECONDS WEST PARALLEL WITH THE PENULTIMATE DESCRIBED COURSE 922.0 FEET TO THE POINT OF BEGINNING, IN BLACKBERRY TOWNSHIP, KANE COUNTY, ILLINOIS.

SUBJECT TO: Covenants, conditions and restrictions of record and building lines and easements, if any, provided they do not interfere with the current use and enjoyment of Real Estate; and general real estate taxes not due and payable at the time of Closing.

Christopher J. Lauzen CPA, MBA Kane County Treasurer
Make Checks Payable to: KANE COUNTY TREASURER
Please remit to: P.O. Box 4025, Geneva, IL 60134-4025

Parcel Number: 11-24-100-011



1st
2
0
2
3

****DUPLICATE****

FREEDLUND ROGERS & LERDAL, BRITTANY
40W145 FABYAN PKWY
ELBURN IL 60119-9609

1ST INSTALLMENT 2023	39.70
ADJUSTMENT	
PENALTY	
INSTALLMENT AMOUNT PAID	\$39.70
INSTALLMENT BALANCE DUE	Paid on 06/03/2024 \$0.00
DUE ON OR BEFORE 06/03/24	

Remove stub and remit with payment

112410001110000000000000603246

Christopher J. Lauzen CPA, MBA Kane County Treasurer
Make Checks Payable to: KANE COUNTY TREASURER
Please remit to: P.O. Box 4025, Geneva, IL 60134-4025

Parcel Number: 11-24-100-011



2nd
2
0
2
3

****DUPLICATE****

FREEDLUND ROGERS & LERDAL, BRITTANY
40W145 FABYAN PKWY
ELBURN IL 60119-9609

2ND INSTALLMENT 2023	39.70
ADJUSTMENT	
PENALTY	
INSTALLMENT AMOUNT PAID	\$39.70
INSTALLMENT BALANCE DUE	Paid on 06/03/2024 \$0.00
DUE ON OR BEFORE 09/03/24	

Remove stub and remit with payment

112410001120000000000000903243

Rate 2022	Tax 2022	Taxing District	Rate 2023	Tax 2023
0.274784	\$2.33	KANE COUNTY	0.256450	\$2.33
0.057460	\$0.49	KANE COUNTY	0.052912	\$0.48
0.136626	\$1.15	KANE FOREST PRESERVE	0.128782	\$1.17
0.000116	\$0.00	KANE FOREST PRESERVE	0.000108	\$0.00
0.130795	\$1.10	BLACKBERRY TOWNSHIP	0.126508	\$1.15
0.178078	\$1.50	BLACKBERRY TWP ROAD DIST	0.172152	\$1.56
0.002471	\$0.02	BLACKBERRY TWP ROAD DIST	0.002478	\$0.02
5.804035	\$48.93	BATAVIA SCH DIST 101	5.733301	\$52.00
0.143552	\$1.21	BATAVIA SCH DIST 101	0.130260	\$1.18
0.465577	\$3.92	WAUBONSEE COLLEGE 516	0.453416	\$4.11
0.511627	\$4.31	BATAVIA PARK DISTRICT	0.499546	\$4.53
0.031685	\$0.27	BATAVIA PARK DISTRICT	0.035090	\$0.32
0.404908	\$3.41	BATAVIA LIBRARY	0.401083	\$3.64
0.030280	\$0.26	BATAVIA LIBRARY	0.029171	\$0.26
0.644830	\$5.43	ELBURN FIRE DISTRICT	0.636895	\$5.78
0.110127	\$0.93	ELBURN FIRE DISTRICT	0.095745	\$0.87

Parcel Number 11-24-100-011			TIF BASE	N/A
Late Payment Schedule			FAIR CASH VALUE	
			LAND VALUE	0.00
1st 2nd			- BUILDING VALUE	0.00
Jun 4 Thru Jul 3			- HOME IMPROVEMENT / VET	0.00
Jul 4 Thru Aug 3			- ASSESSED VALUE	0.00
Aug 4 Thru Sept 3			x STATE MULTIPLIER	1.0000
Sept 4 Thru Oct 3			= EQUALIZED VALUE	0.00
Oct 4 Thru Oct 25			- HOMESTEAD EXEMPTION	0.00
Payment on or after Sept 16, 2024: Please see instructions on reverse side for LATE PAYMENTS.			- SENIOR EXEMPTION	0.00
Mail To: 28314			- OTHER EXEMPTIONS	0.00
FREEDLUND ROGERS & LERDAL, BRITTANY			+ FARM LAND	907.00
40W145 FABYAN PKWY			- FARM BUILDING	0.00
ELBURN IL 60119-9609			= NET TAXABLE VAL.	907.00
Property Location:			x TAX RATE	8.753897
Township: BB Tax Code: BB043 Acres: 1.49			= CURRENT TAX	\$79.40
Tax Rate: 8.753897 Sold at Tax Sale: Forfeited Tax:			+ NON AD VALOREM TAX	\$0.00
First Installment Tax: 39.70 Second Installment Tax: 39.70			+ BACK TAX / FORF AMOUNT	\$0.00
Adjustment: Penalty:			- ENTERPRISE ZONE	\$0.00
Other Fees:			= TOTAL TAX DUE	\$79.40
Paid on 06/03/2024				

2023 Kane County Real Estate Tax Bill
Christopher J. Lauzen CPA / MBA
Treas. Kane County, IL
Geneva, IL 60134

8.928951	\$75.26	TOTAL	8.753897	\$79.40
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