 <p>CITY OF ST. CHARLES ILLINOIS • 1834</p>	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>		Agenda Item number: *4e
	Title:	<b>Recommendation to approve a Final Plat of Subdivision (Minor Subdivision) for 3925 Stern Ave. Lot Consolidation (Bryan McCusker)</b>	
Presenter:	<b>Rachel Hitzemann</b>		
<b>Meeting:</b> Planning & Development Committee		<b>Date:</b> March 11, 2024	
<b>Proposed Cost:</b> \$		<b>Budgeted Amount:</b> \$	<b>Not Budgeted:</b> <input type="checkbox"/>
<b>TIF District:</b> None			
<b>Executive Summary</b> (if not budgeted, please explain):			
<p>A Minor Subdivision- Final Plat Application for a lot consolidation has been filed by Bryan Mccusker for the property at 3925 Stern Ave.</p> <p>The subject property is currently three parcels. Parcel one has an industrial building on it, parcel two has an easement and the third parcel is vacant. All parcels are under common ownership and have been bought and sold together for many years. In the early 90s, the owner of the properties wanted to split the lots, as they wanted to sell the third parcel. As part of that subdivision, the city required the 10ft easement between properties.</p> <p>Mr. Mccusker intends to expand his business by building a parking lot and a potential building addition on parcels two and three.</p> <p>The Plan Commission reviewed the application on 2/21/24 and unanimously recommended approval.</p>			
<b>Attachments</b> (please list):			
Plan Commission Resolution, Staff Report, Application, Plat of Consolidation			
<b>Recommendation/Suggested Action</b> (briefly explain):			
Recommendation to approve a Minor Subdivision Final Plat for a Lot Consolidation at 3925 Stern Ave.			

**City of St. Charles, Illinois**  
**Plan Commission Resolution No. 3-2024**

**A Resolution Recommending Approval of a Final Plat of Subdivision (Minor Subdivision) for 3925 Stern Ave. Lot Consolidation (Bryan McCusker)**

**Passed by Plan Commission on February 21, 2024**

WHEREAS, it is the responsibility of the St. Charles Plan Commission to review requests for Final Plat of Subdivision; and

WHEREAS, the Plan Commission has reviewed the Final Plat of Subdivision (Minor Subdivision) for 3925 Stern Ave. Lot Consolidation (Bryan McCusker); and

WHEREAS, the Plan Commission finds the Final Plat of Subdivision to be in conformance with the requirements of Title 16 of the City Code entitled, "Subdivisions and Land Improvement" and Title 17, Chapter 17.12-Residential Districts.

NOW, THEREFORE, be it resolved by the St. Charles Plan Commission to recommend to the City Council approval of the Final Plat of Subdivision (Minor Subdivision) for 3925 Stern Ave. Lot Consolidation (Bryan McCusker); contingent upon the resolution of all staff comments prior to City Council action.

Roll Call Vote:

Ayes: Funke, Wiese, Rosenberg, Fitzgerald, Vargulich

Nays: None

Absent: Moad, Hibel, Ewoldt, Gruber

Motion carried: 5-0

PASSED, this 21st day of February 2024.

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Chairman  
St. Charles Plan Commission



<b>Applicant:</b>	Bryan McCusker	<p style="text-align: center;"><b>3925 Stern Ave</b></p> <p style="text-align: center;"><i>Subject Property</i></p>
<b>Property Owner:</b>	Bradley D. LeGare and Fredrick P. Strobel Jr.	
<b>Location:</b>	3925 Stern Ave.	
<b>Purpose:</b>	Lot Consolidation	
<b>Application:</b>	Final Plat of Subdivision (Lot Consolidation)	
<b>Public Hearing:</b>	N/A	
<b>Zoning:</b>	M-2 (Limited Manufacturing)	
<b>Current Land Use:</b>	Industrial Building and Vacant Parcel	
<b>Comprehensive Plan:</b>	Industrial/ Business Park	
<b>Summary of Proposal:</b>	Bryan McCusker is looking to consolidate the lots and expand his business.	
<b>Info / Procedure on Application:</b>	<p>Final Plat (Minor Subdivision)</p> <ul style="list-style-type: none"> <li>• Final Plat is the actual plat document that will be recorded with the County to formally create new lots, dedicate streets, and provide easements, etc.</li> <li>• Recommendation is based on compliance with all other code requirements (including Zoning &amp; Subdivision Codes). Staff has provided an analysis in the Staff Report.</li> <li>• A public hearing is not required for this type of application.</li> <li>• No findings of fact are applicable to this application.</li> </ul>	
<b>Suggested Action:</b>	<p>Review the Final Plat of Subdivision.</p> <p>Staff has found the application materials to be complete and the Final Plat to be in compliance with the Zoning and Subdivision Codes.</p> <p>Staff recommends approval of the Final Plat of Subdivision, subject to resolution of all staff comments prior to City Council action.</p>	
<b>Staff Contact:</b>	Rachel Hitzemann, Planner	

**I. PROPERTY INFORMATION**

**A. History / Context**

The subject property is currently three parcels. Parcel one has an industrial building on it, parcel two has an easement and the third parcel is vacant. All parcels are under common ownership and have been bought and sold together for many years. In the early 90s, the owner of the properties wanted to split the lots, as they wanted to sell the third parcel. As part of that subdivision, the city required the 10ft easement between properties.

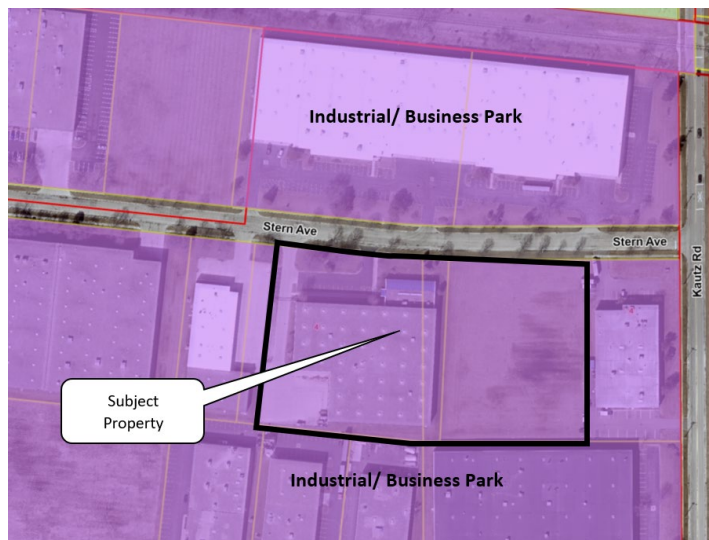
**B. Zoning**



The subject property is zoned M-2 Limited Manufacturing. The same zoning designation exists adjacent to the property on all sides.

**C. Comprehensive Plan**

The subject property is designated Industrial/ Business Park in the Land Use Plan adopted as part of the 2013 Comprehensive Plan. All adjacent Properties have the same designation.



**II. PROPOSAL**

Bryan McCusker is seeking approval of a Final Plat of Subdivision to consolidate the three parcels into one lot. Mr. McCusker plans to expand his business by building a parking lot and potential building expansion on the second parcel. A utility easement will be vacated as part of this consolidation.

**III. ANALYSIS**

**A. Bulk Standards**

The lot consolidation is compliant with the minimum requirements for the M-2 Zoning District.

	<b>M-2 District Standard</b>	<b>Lot</b>
<b>Min. Lot Area</b>	None	219,240 sf
<b>Min. Lot Width</b>	None	606 ft.
<b>Max. Building Coverage</b>	60%	<i>TBD – To follow M-2 standard</i>
<b>Max. Building Height</b>	60ft	
<b>Min. Front Yard</b>	40 ft.	
<b>Min. Side Yard</b>	20 ft. each side	
<b>Min. Rear Yard</b>	20 ft.	

**B. Plat Review**

Planning staff have reviewed the Final Plat and have no outstanding comments.

**C. Engineering Review**

The engineering division has reviewed the easement vacation and final plat and has no comments.

**IV. SUGGESTED ACTION**

Staff recommends approval of the Final Plat of Subdivision subject to resolution of all staff comments prior to City Council action.

**V. ATTACHMENTS**

- Application for Minor Subdivision – Final Plat; received 11/01/23
- Final Plat of Subdivision

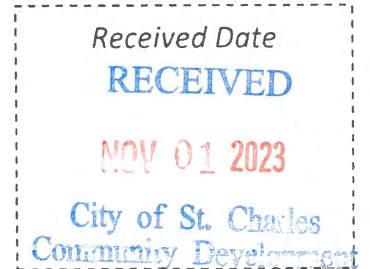
City of St. Charles  
 Community Development Division  
 2 E. Main Street  
 St. Charles, IL 60174



Phone: (630) 377-4443  
 Email: [cd@stcharlesil.gov](mailto:cd@stcharlesil.gov)

## MINOR SUBDIVISION – FINAL PLAT APPLICATION

<b>For City Use</b>	
Project Name:	<u>3925 Stern</u>
Project Number:	<u>2023</u> -PR- <u>015</u>
Cityview Project Number:	<u>PLMS202300137</u>



- File this application to request approval of a Minor Subdivision – Final Plat.
- Per City Code Section 16.04.040, a Minor Subdivision must meet the following criteria:
  - 1) Compliance with subdivision design standards in the City Code;
  - 2) No more than 4 lots;
  - 3) No public utility extensions or new streets are required to serve the subdivision;
  - 4) No stormwater detention is required to serve the subdivision;
  - 5) All lots meet minimum zoning standards.
- Complete the application and submit with all required attachments to the Community Development Division.
- The information you provide must be complete and accurate. If you have any questions please contact the Community Development Division.
- City staff will review the submittal for completeness and for compliance with applicable requirements. Staff will distribute the plans to other City departments for review when the application is complete.
- The Final Plat will be scheduled for Plan Commission review when staff has determined the plat is ready.

<b>1. Property Information:</b>	Location: 3925 Stern Avenue	
	Parcel Number (s): 09-36-277-027      09-36-277-033      09-36-277-034	
	Proposed Subdivision Name: Unit No. 3B The "St. Charles" Illinois Industrial Development of the Central Manufacturing District Resubdivision No. 2	
<b>2. Applicant Information:</b>	Name: 1100 Carolina Drive LLC Attn: Bryan Mccusker, Ph.D.	Phone: (630) 293-9300
	Address: 1100 Carolina Drive, West Chicago, IL 60185	Email: Bryan.Mccusker@hfimfg.com
<b>3. Record Owner Information:</b>	Name: Bradley D. LeGare and Frederick P. Strobl, Jr., as Joint Tenants in common	Phone: 630-762-0606
	Address: 3925 Stern Avenue, St Charles, IL 60174	Email: <span style="border: 1px solid black; padding: 2px;">legare@sek.us.com</span>

**4. Required Attachments:**

*If multiple zoning or subdivision applications will be submitted concurrently, do not submit duplicate checklist items or plans. Fee must be paid for each application.*

**Submit 1 copy of each required item, unless otherwise noted.**

**APPLICATION FEE:** \$300

**REIMBURSEMENT OF FEES AGREEMENT:** An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.

**REIMBURSEMENT OF FEES INITIAL DEPOSIT:** Deposit of funds in escrow with the City. Required deposit is based on review items (number of applications filed) and the size of the subject property:

Number of Review Items	Under 5 Acres	5-15 Acres	16-75 Acres	Over 75 Acres
1	\$1,000	\$2,000	\$3,000	\$4,000
2 or 3	\$2,000	\$4,000	\$5,000	\$7,000
4 or more	\$3,000	\$5,000	\$7,000	\$10,000

**FEE FOR INSTALLATION OF CITY BENCHMARKS:** Payment for installation of City benchmarks in accordance with Appendix F of the Subdivision Code (City Code Title 16). Required payment is based on the size of the subdivision:

Subdivision Acreage	Number of Benchmarks	Fee at \$2500 per Benchmark
20+	2	\$5000
10 to 20	1	\$2500
5 to 10	0.5	\$1250
1 to 5	0.25	\$625
Less than 1	0.10	\$250

**PROOF OF OWNERSHIP:** a) A current title policy report; or  
b) A deed and a current title search

*NOTE: Private covenants and deed restrictions can limit private property rights with respect to the use of land even though the City's Zoning Ordinance may authorize the use or a less restrictive use. We strongly advise that you perform a title search on the property to determine if there any private covenants containing use restrictions or other deed restrictions. As those private covenants and deed restrictions may conflict with the City's Zoning Ordinance, it is further recommended that you consult with an attorney to obtain an opinion with respect to whether your intended use is compatible with those restrictions.*

**OWNERSHIP DISCLOSURE:** Use the appropriate disclosure form (attached), if the owner or applicant is a Partnership, Corporation, Trust, or LLC.

**LETTER OF AUTHORIZATION:** If the property owner is not the applicant, an original letter of authorization from the property owner permitting the applicant to file the zoning application with the City of St. Charles for the subject property.

**PARK AND SCHOOL LAND/CASH WORKSHEETS:** *For residential developments only.* Use the attached worksheet to calculate the estimated population and student yields and resulting land/cash contributions in accordance with Title 16 of the St. Charles Municipal Code.

**INCLUSIONARY HOUSING WORKSHEET:** *For residential developments only.* Use the attached worksheet to calculate the affordable unit requirement and indicate how the development will comply with Title 19 of the St. Charles Municipal Code.

**PLANS:** All required plans shall be drawn on sheets no larger than 24" x 36", unless the Director of Community Development permits a larger size when necessary to show a more comprehensive view of the project. All required plans shall show north arrow and scale, and shall be drawn at the same scale (except that a different scale may be used to show details or specific features). All plans shall include the name of the project, developer or owner of site, person or firm preparing the plan, and the date of plan preparation and all revisions.

**Copies:** Ten (10) full size copies, one (1) 11" by 17", and PDF electronic file emailed to: [cd@stcharlesil.gov](mailto:cd@stcharlesil.gov)

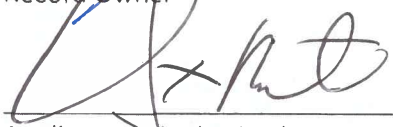
**FINAL PLAT OF SUBDIVISION / DRAWING REQUIREMENTS CHECKLIST:** A Final Plat of Subdivision that includes the information listed on the Subdivision Plat Drawing Requirements Checklist. Also submit a completed Checklist (attached).

I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.

  
Record Owner

Date

10/16/23

  
Applicant or Authorized Agent

Date

10/19/23



OWNERSHIP DISCLOSURE FORM  
LIMITED LIABILITY COMPANY (L.L.C.)

STATE OF ILLINOIS     )  
  ) SS.  
KANE COUNTY            )

I, Bryan P McCusker, being first duly sworn on oath depose and say that I am  
Manager of 1100 Carolina Dr LLC, an Illinois Limited Liability  
Company (L.L.C.), and that the following persons are all of the members of the said L.L.C.:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

By: Bryan P McCusker Manager

Subscribed and Sworn before me this 19<sup>th</sup> day of  
October, 2023.

Gerianne Van Calbergh  
Notary Public



# Exhibit A

LOT 7 (EXCEPT THE WEST 165.0 FEET) AND LOT 6 (EXCEPT THE EAST 183.63 FEET) IN UNIT NO. 3-B THE "ST. CHARLES" ILLINOIS INDUSTRIAL DEVELOPMENT OF THE CENTRAL MANUFACTURING DISTRICT, BEING A SUBDIVISION OF ALL OF LOT 1, A PART OF LOT 2 AND ALL OF LOTS 18 AND 19 IN UNIT NO. 3-A, THE "ST. CHARLES" ILLINOIS INDUSTRIAL DEVELOPMENT OF THE CENTRAL MANUFACTURING DISTRICT, BEING A SUBDIVISION OF PART OF THE NORTH ½ OF SECTION 36, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

# ALTA COMMITMENT FOR TITLE INSURANCE

Issued By:



CHICAGO TITLE INSURANCE COMPANY

Commitment Number:

**23005510WF**

## NOTICE

**IMPORTANT - READ CAREFULLY:** THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

## COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and the Commitment Conditions, Chicago Title Insurance Company, a Florida corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I-Requirements have not been met within one hundred eighty (180) days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

**Chicago Title Insurance Company**

By:

Michael J. Nolan, President

Attest:

Marjorie Nemzura, Secretary

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Chicago Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

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**Transaction Identification Data for reference only:**

ORIGINATING OFFICE:	FOR SETTLEMENT INQUIRIES, CONTACT:
Chicago Title Company, LLC 2441 Warrenville Rd, Suite 100 Lisle, IL 60532 Main Phone: (630)871-3500 Email: CTLisle@ctt.com	Chicago Title and Trust Company 2441 Warrenville Rd, Suite 100 Lisle, IL 60532 Main Phone: (630)871-3500 Main Fax: (630)871-3587

Issued By: Chicago Title Company, LLC  
 2441 Warrenville Rd, Suite 100  
 Lisle, IL 60532

**Order Number: 23005510WF**

Property Ref.: 3925 Stern Avenue, Saint Charles, IL 60174

**SCHEDULE A**

1. Commitment Date: June 26, 2023
2. Policy to be issued:
  - (a) ALTA Owner's Policy 2006  
 Proposed Insured: 1100 Carolina Drive LLC  
 Proposed Policy Amount: \$7,300,000.00
3. The estate or interest in the Land described or referred to in this Commitment is:  
 Fee Simple
4. The Title is, at the Commitment Date, vested in:  
[Bradley D. LeGare and Frederick P. Strobl, Jr., as tenants in common](#)

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**SCHEDULE A**  
(continued)

## 5. The Land is described as follows:

## PARCEL 1:

LOT 7 (EXCEPT THE WEST 165.0 FEET) AND THAT PART OF SAID LOT 6 LYING WEST OF A LINE FROM A POINT ON THE SOUTH LINE OF SAID LOT 6, BEING 31.90 FEET EAST OF THE SOUTHWEST CORNER THEREOF, TO A POINT ON THE NORTH LINE OF SAID LOT, BEING A 51.14 FEET EAST OF THE NORTHWEST CORNER THEREOF, SAID LINE BEING 20.25 FEET EASTERLY OF AND PARALLEL WITH THE EASTERLY LINE OF A PRECAST CONCRETE PANEL BUILDING AT NUMBER 3925 STERN AVENUE) IN UNIT NO. 3-B, THE "ST. CHARLES" ILLINOIS INDUSTRIAL DEVELOPMENT OF THE CENTRAL MANUFACTURING DISTRICT, BEING A SUBDIVISION OF ALL OF LOT 1, A PART OF LOT 2 AND ALL OF LOTS 18 AND 19 IN UNIT NO. 3-A, THE "ST. CHARLES" ILLINOIS INDUSTRIAL DEVELOPMENT OF THE CENTRAL MANUFACTURING DISTRICT, BEING A SUBDIVISION OF PART OF THE NORTH 1/2 OF SECTION 36, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

## PARCEL 2:

LOT 1 OF PLAT OF RESUBDIVISION OF UNIT NO. 3-B, THE ST. CHARLES ILLINOIS INDUSTRIAL DEVELOPMENT OF THE CENTRAL MANUFACTURING DISTRICT RESUBDIVISION NO. 1, BEING A RESUBDIVISION OF PART OF LOT 6 IN UNIT NO. 3-B, THE ST. CHARLES ILLINOIS INDUSTRIAL DEVELOPMENT OF THE CENTRAL MANUFACTURING DISTRICT, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 40 NORTH RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE ORIGINAL PLAT RECORDED JULY 14, 1983 AS DOCUMENT [1645498](#), AND PLAT RECORDED NOVEMBER 16, 2001 AS DOCUMENT [2001K0121682](#), IN KANE COUNTY, ILLINOIS.

**END OF SCHEDULE A**

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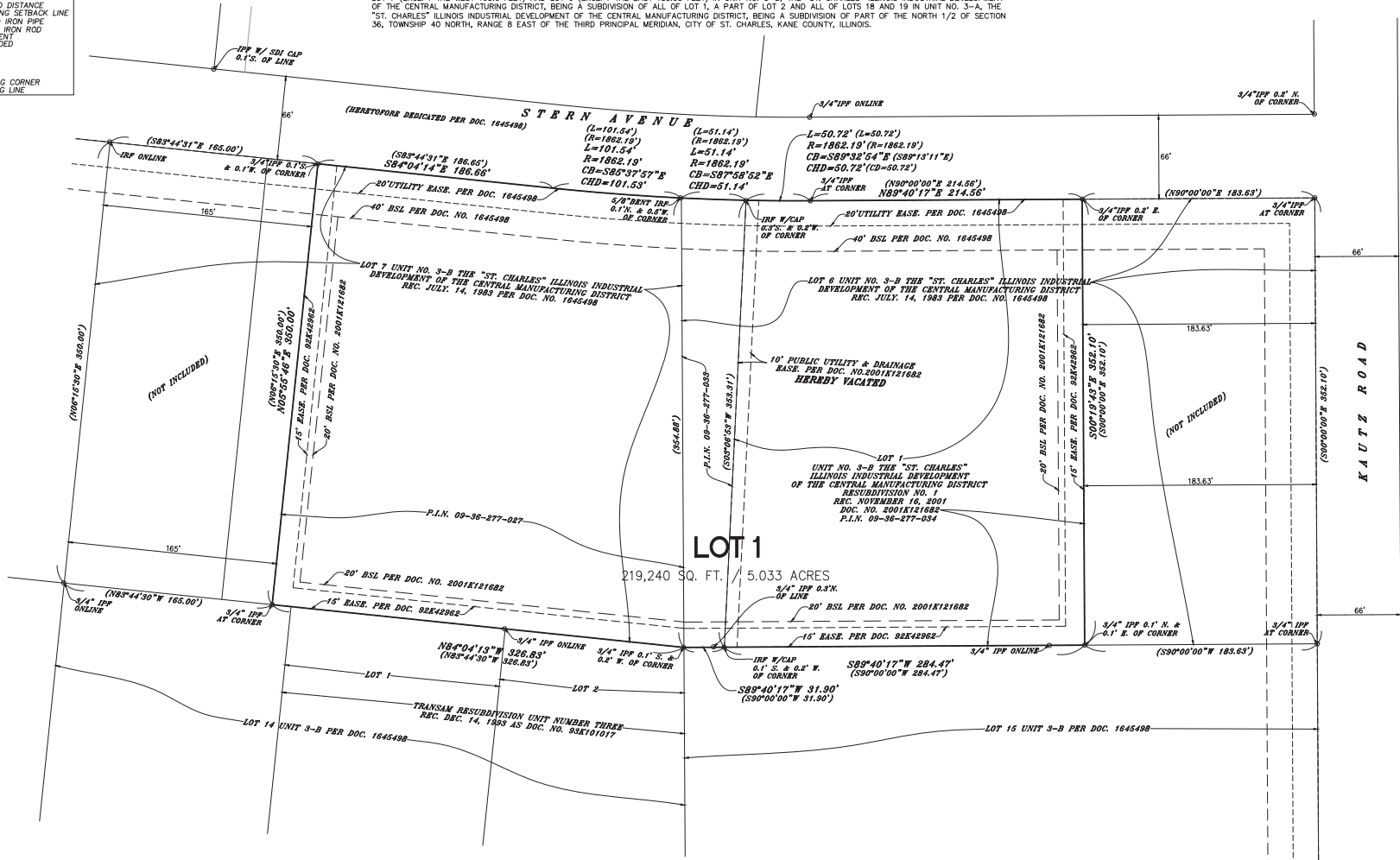
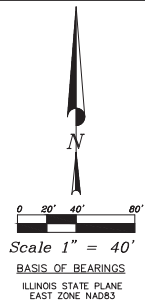


# FINAL PLAT OF CONSOLIDATION OF

LOT 7 (EXCEPT THE WEST 165.0 FEET) AND LOT 6 (EXCEPT THE EAST 183.63 FEET) IN UNIT NO. 3-B, THE "ST. CHARLES" ILLINOIS INDUSTRIAL DEVELOPMENT OF THE CENTRAL MANUFACTURING DISTRICT, BEING A SUBDIVISION OF ALL OF LOT 1, A PART OF LOT 2 AND ALL OF LOTS 18 AND 19 IN UNIT NO. 3-A, THE "ST. CHARLES" ILLINOIS INDUSTRIAL DEVELOPMENT OF THE CENTRAL MANUFACTURING DISTRICT, BEING A SUBDIVISION OF PART OF THE NORTH 1/2 OF SECTION 36, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

**NOTES:**  
 (100.00') DENOTES RECORD DIMENSIONS  
 100.00' DENOTES MEASURED DIMENSIONS  
 DOC. DENOTES DOCUMENT  
 NO. DENOTES NUMBER  
 P.I.N. DENOTES PARCEL INDEX NUMBER  
 SEC. DENOTES SECTION  
 L DENOTES ARC LENGTH  
 R DENOTES RADIUS  
 CB DENOTES CHORD BEARING  
 CHD DENOTES CHORD DISTANCE  
 BSL DENOTES BUILDING SETBACK LINE  
 IFF DENOTES FOUND IRON PIPE  
 IFF DENOTES FOUND IRON ROD  
 EASE. DENOTES EASEMENT  
 REC. DENOTES RECORDED  
 N DENOTES NORTH  
 E DENOTES EAST  
 S DENOTES SOUTH  
 W DENOTES WEST  
 BK DENOTES BUILDING CORNER  
 BL DENOTES BUILDING LINE

**P.I.N. NUMBERS:**  
 09-36-277-027  
 09-36-277-033  
 09-36-277-034



AREA TABLE	
LOT 7 (PARTIAL-SEE LEGAL)	122,455 SQ. FT. / 2.811 AC.
LOT 1 (PREVIOUS SUBDIVISION)	96,785 SQ. FT. / 2.222 AC.
<b>TOTAL AREA CONSOLIDATED INTO LOT 1</b>	<b>219,240 SQ. FT. / 5.033 AC.</b>

- NOTES:**
- IRON RODS WITH CAPS WILL BE SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
  - ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.
  - CITY ORDINANCES SUPERCEDE ANY PRIVATE COVENANTS OR RESTRICTIONS.

Survey No.:	H076
Ordered By:	FCL BUILDERS
Description:	PLAT OF CONSOLIDATION
Date Prepared:	OCTOBER 10, 2023
Scale:	1" = 40'
Field Work:	MULIS
Prepared By:	KAC

**JACOB & HEFNER ASSOCIATES**  
 1333 Butterfield Road, Suite 300, Downers Grove, IL 60515  
 PHONE: (630) 652-4600, FAX: (630) 652-4601  
 www.jacobandhefner.com  
 Illinois Professional Design Firm  
 License No. 154983073 Exp. 4/30/25