

CITY OF NAPERVILLE PETITION FOR DEVELOPMENT APPROVAL

DEVELOPMENT NAME (should be consistent with plat): Columbia Park Townes

ADDRESS OF SUBJECT PROPERTY: 26W161 Old Plank Road, Naperville, Illinois

PARCEL IDENTIFICATION NUMBER (P.I.N.) 08-18-207-003

I. PETITIONER: Pulte Home Corporation, a Michigan Corporation

PETITIONER'S ADDRESS: 1900 E. Golf Road, Suite 300

CITY: Schaumburg STATE: IL ZIP CODE: 60173

PHONE: 847.230.5284 EMAIL ADDRESS: Dave.Cumming@PulteGroup.com

II. OWNER(S): Weasel Enterprises, LLC, an Illinois limited liability company

OWNER'S ADDRESS: 1037 Forest View Ct.

CITY: Naperville STATE: IL ZIP CODE: 60563

PHONE: _____ EMAIL ADDRESS: _____

III. PRIMARY CONTACT (review comments sent to this contact): Russell G. Whitaker III

RELATIONSHIP TO PETITIONER: Attorney for Petitioner

PHONE: 630-355-4600 EMAIL ADDRESS: russ@rw-attorneys.com

IV. OTHER STAFF

NAME: Peter R. Pluskwa CEMCON, LTD.

RELATIONSHIP TO PETITIONER: Senior Planner/Entitlements Manager

PHONE: 630-862-2100 EMAIL ADDRESS: peterp@Cemcon.com NAME: _____

RELATIONSHIP TO PETITIONER: Greg Sagen Signature Design Group

PHONE: 630-305-3980 EMAIL ADDRESS: greg@sgntrgroup.com

V. PROPOSED DEVELOPMENT

(check applicable and provide responses to corresponding exhibits on separate sheet)

- | | |
|--|---|
| <input type="checkbox"/> Amending or Granting a Conditional Use (Exhibit 1)* | <input type="checkbox"/> Landscape Variance (Exhibit 5) |
| <input type="checkbox"/> Amending or Granting a Planned Unit Development (Exhibit 2) | <input type="checkbox"/> Planned Unit Development Deviation (Exhibit 6) |
| <input checked="" type="checkbox"/> Annexation (Exhibit 3) | <input type="checkbox"/> Sign Variance (Exhibit 7) |
| <input type="checkbox"/> Plat of Easement/Vacation/Dedication | <input checked="" type="checkbox"/> Zoning Variance (Exhibit 8) |
| <input checked="" type="checkbox"/> Rezoning (Exhibit 4) | <input type="checkbox"/> Platted Setback Deviation (Exhibit 9) |
| <input checked="" type="checkbox"/> Subdivision Plat | <input type="checkbox"/> Subdivision Deviation/Waiver (Exhibit 9) |
| <input type="checkbox"/> Temporary Use | <input type="checkbox"/> Other (Please Specify: _____) |

**When requesting approval of a Small Wind and/or a Solar Renewable Energy System complete Exhibit 10 instead of Exhibit 1.*

ACREAGE OF PROPERTY: Approximately 4.749 Acres

DESCRIPTION OF PROPOSAL/USE (use a separate sheet if necessary)

Petitioner seeks to annex and zone the property R3A to facilitate development of a 35 unit town home project.

VI. REQUIRED SCHOOL AND PARK DONATIONS (RESIDENTIAL DEVELOPMENT ONLY)

(per Section 7-3-5: Dedication of Park Lands and School Sites or for Payments or Fees in Lieu of)

Required School Donation will be met by:

- Cash Donation Land Dedication

Required Park Donation will be met by:

- Cash Donation Land Dedication

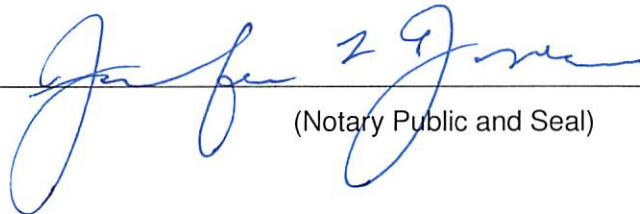
PETITIONER'S SIGNATURE

I, Russell G. Whitaker, attorney (Petitioner's Printed Name and Title), being duly sworn, declare that I am duly authorized to make this Petition, and the above information, to the best of my knowledge, is true and accurate.


(Signature of Petitioner or authorized agent)

12-19-16
(Date)

SUBSCRIBED AND SWORN TO before me this 19th day of December, 2016


(Notary Public and Seal)



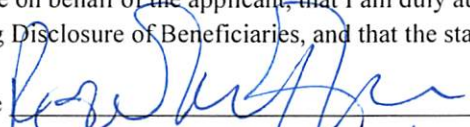
CITY OF NAPERVILLE
DISCLOSURE OF BENEFICIARIES

1. Applicant: PULTE HOME CORPORATION
Address: 1900 E. Golf Road, Suite 300, Schaumburg, Illinois 60173
2. Name of Benefit Sought: Annexation to the City of Naperville, rezoning to R3A upon annexation, approval of a preliminary/final plat of subdivision, approval of any associated variances, and such other relief as may be necessary and appropriate.
3. Nature of Applicant (Please check one):
 - a. Individual
 - b. Corporation/
Limited Liability Company
 - c. Land Trust/Trustee
 - d. Trust/Trustee
 - e. Partnership
 - f. Joint Venture
4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of applicant:
_____ N/A _____
5. If in your answer to Section 3 you checked box b, c, d, e, or f, identify by name and address each person or entity which is a 5% or more shareholder in the case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of a joint venture, or who otherwise has a proprietary interest, interest in profits and losses or right to control such entity:
 - a. Pulte Diversified Companies, Inc. 100% _____
 - b. _____
 - c. _____
6. Name, address and capacity of person making this disclosure on behalf of the applicant:
Russell G. Whitaker, III, attorney

IMPORTANT NOTE: In the event your answer to Section 5 identifies entities other than an individual, additional disclosures are required for each entity.

VERIFICATION:

I, Russell G. Whitaker, III, being first duly sworn under oath, depose and state that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make this disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Signature 

Subscribed and Sworn to before me this 19th day of December, 2016.


Notary Public



CITY OF NAPERVILLE
DISCLOSURE OF BENEFICIARIES

1. Applicant: Weasel Enterprises, LLC
Address: 1037 Forest View Ct. Naperville, Illinois 60563
2. Name of Benefit Sought: Annexation to the City of Naperville, rezoning upon annexation, approval of a preliminary/final plat of subdivision, approval of any associated variances, and such other relief as may be necessary and appropriate.
3. Nature of Applicant (Please check one):
- | | |
|--|---|
| <input type="checkbox"/> a. Individual | <input type="checkbox"/> d. Trust/Trustee |
| <input checked="" type="checkbox"/> b. Corporation/
Limited Liability Company | <input type="checkbox"/> e. Partnership |
| <input type="checkbox"/> c. Land Trust/Trustee | <input type="checkbox"/> f. Joint Venture |
4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of applicant:
N/A
5. If in your answer to Section 3 you checked box b, c, d, e, or f, identify by name and address each person or entity which is a 5% or more shareholder in the case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of a joint venture, or who otherwise has a proprietary interest, interest in profits and losses or right to control such entity:
- a. Steven Svestka
- b. Tammie Svestka
- c. _____
6. Name, address and capacity of person making this disclosure on behalf of the applicant:

IMPORTANT NOTE: In the event your answer to Section 5 identifies entities other than an individual, additional disclosures are required for each entity.

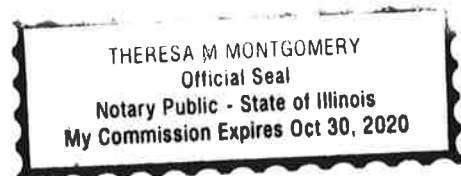
VERIFICATION:

I, _____, being first duly sworn under oath, depose and state that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make this disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Signature *Stu Svestka*

Subscribed and Sworn to before me this 21st day of December, 2016.

Theresa M. Montgomery
Notary Public





FRED BUCHOLZ
 DUPAGE COUNTY RECORDER
 DEC. 24, 2009 9:49 AM
 DEED RHSP 08-18-207-003
 002 PAGES R2009-191784

TRUSTEE'S DEED

5767052 / 2904975
 2906026 / 0999088

This Indenture, made this 17th day of December, 2009, between ATG Trust Company, an Illinois Corporation, as Successor Trustee to Downers Grove National Bank, qualified to do trust business under and by virtue of the laws of the State of Illinois, under the provisions of a deed or deeds duly recorded and delivered to said company in pursuance of a trust agreement dated the 28th day of September, 1976, and known as Trust Number 76-150, party of the first part, and Weasel Enterprises, LLC of 1037 Forest View Court, Naperville, IL 60563, party of the second part.

Witnesseth. That said party of the first part, in consideration of the sum of 10.00 Dollars, and other good and valuable considerations in hand paid, does hereby grant, sell, and convey unto said party of the second part, the following described real estate, situated in DuPage County, Illinois, to wit:

LOT 3 OF TYSON'S ASSESSMENT PLAT OF PART OF THE NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 13, 1954 AS DOCUMENT 716523 AND CONTAINED IN CERTIFICATE OF CORRECTION RECORDED OCTOBER 10, 1957 AS DOCUMENT 859357, IN DU PAGE COUNTY, ILLINOIS.

Subject to: General taxes for the year 2009 and subsequent years, covenants, conditions, restrictions and easements of record.

26w161 Old Plank rd
Naperville IL 60563

Permanent Tax Number: 08-18-207-003

together with the tenements and appurtenances thereunto belonging.

To Have and To Hold the same unto said party of the second part, and to the proper use, benefit and behoof forever of said party of the second part.

This deed is executed pursuant to and in the exercise of the power and authority granted to and vested in said trustee by the terms of said deed or deeds in trust delivered to said trustee in pursuance of the trust agreement above mentioned. This deed is made subject to the lien of every trust or mortgage (if any there be) of record in said county given to secure the payment of money, and remaining unreleased at the date of the delivery hereof.

In Witness Whereof, said party of the first part has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by its Peggy Peters Trust Officer, the day and year first above written.

ATG TRUST COMPANY, as Trustee aforesaid

By 
 Trust Officer

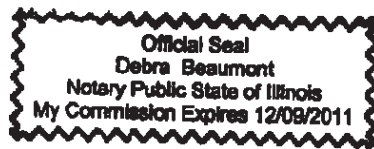
Street address of above described property: 26 W 161 Plank Road, Naperville, IL 60563

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, DO
HEREBY CERTIFY that Peggy Peters,
Trust Officer of the ATG TRUST COMPANY, a Corporation, personally known to me
to be the same person whose name is subscribed to the foregoing instrument as such
Peggy Peters Trust Officer, appeared before me this day in person
and acknowledged that he/she signed and delivered the said instrument as his/her own
free and voluntary act, and as the free and voluntary act of said Corporation, for the
uses and purposes therein set forth; and the said Peggy Peters Trust
Officer did also then and there acknowledge that he/she, as custodian of the corporate
seal of said Corporation, did affix the said corporate seal of said Corporation to said
instrument as his/her own free and voluntary act, and as the free and voluntary act of
said Corporation, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 17th day of December, 2009 .


Notary Public



Mail this recorded instrument to:

O'BRIEN LAW GROUP P.C
15020 S RAVENHURST AVE SUITE 20
ORLAND PARK IL 60462

This instrument prepared by:

ATG Trust Company
265 East Deerpath
Lake Forest, IL 60045

Mail future tax bills to:

WITSELL ENTERPRISES LLC
265 N 161 PLAZA RD
NAPERVILLE IL 60563

STATE OF ILLINOIS
DEC. 23.09
DUPAGE COUNTY



REAL ESTATE
TRANSFER TAX
0217500
FP326686

0000001473

g



ATG TRUST
COMPANY

December _____, 2016

Mr. Steve Robles
TED Business Group
City of Naperville
400 S. Eagle St.
Naperville, Illinois 60540

Re: Owner's Authorization for Land Use Entitlements
26W161 Old Plank Road, Naperville, IL (the "Property")

Dear Mr. Robles:

Weasel Enterprises, LLC, an Illinois Limited Liability Company ("Owner"), is the owner of the above referenced property Property. The Property is currently under contract for purchase by Pulte Home Corporation, a Michigan corporation ("Purchaser"). Please allow this letter to serve as evidence of Owner's authorization for Purchaser to submit an application for land use entitlements with respect to the Property.

Please do not hesitate to contact me should you have any questions or concerns.

Sincerely,

WEASEL ENTERPRISES, LLC

By: Steve Svestka



Its: President

STATE OF ILLINOIS)
) SS.
COUNTY OF DUPAGE)

PETITION FOR ANNEXATION

TO: Mayor and City Council
City of Naperville
DuPage County, Illinois

THE PETITIONER, Weasel Enterprises, LLC, an Illinois limited liability company, as owner of the approximately 4.75 +/- acre property commonly known as 26W161 Old Plank Road., Naperville, Illinois, which property is legally described on Exhibit A, attached hereto and made a part hereof (the "Property"), hereby requests that the City of Naperville take the necessary and appropriate action, pursuant to state and local law, to annex the Property to the City of Naperville subject to the terms of a mutually agreeable annexation agreement.

In support of this Petition for Annexation, the undersigned hereby swear to the following under oath and penalty of perjury:

1. That Weasel Enterprises, LLC is the sole owner of the Property legally described on Exhibit A, attached hereto;
2. The Property is unincorporated and is not presently located in the jurisdiction of any other municipality;
3. The Property is contiguous to the City of Naperville (the "City"), and lies within the planning jurisdiction of the City and is identified in the City's Comprehensive Plan for redevelopment within the corporate limits of the City;
4. No electors reside on the Property.

WHEREFORE, the Weasel Enterprises, LLC hereby respectfully requests that the City take such action as is necessary and appropriate for the parties to enter into a mutually agreeable annexation agreement (the "Agreement"), pursuant to which Agreement the Property would be immediately annexed to the City of Naperville and subject to the jurisdiction of City ordinances as of the date of the Agreement for the intended use of the Property as more specifically detailed in Pulte Home Corporation's application for zoning and subdivision relief.

[SIGNATURE PAGE FOLLOWS]

PETITIONER/OWNER:

Weasel Enterprises, LLC.,
An Illinois limited liability company

By: *Steve Svestka*

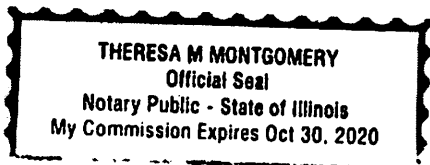
Its: _____

STATE OF ILLINOIS)
) SS.
COUNTY OF Cook)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY THAT Steve Svestka, personally known to me to be the same person whose name is subscribed to the foregoing document, appeared before me this day in person and acknowledged to me that, as the President of Weasel Enterprises, he was duly authorized and signed and delivered the foregoing document as his free and voluntary act by and on behalf of Weasel Enterprises for the uses and purpose therein set forth.

Given under my hand and Notarial Seal as of this 19th day of December 2016.

Theresa M. Montgomery
Notary Public



My Commission expires: 10/30/20