

STATE OF ILLINOIS        )  
  ) SS  
COUNTY OF KANE         )

**SECRETARY'S CERTIFICATE**

I, Thomas G. Hollenbeck, the duly qualified and acting Secretary of the Board of Trustees of Fox River and Countryside Fire Protection District, Kane County, Illinois, do hereby certify that attached hereto is a true and correct copy of an Ordinance entitled:


ORDINANCE NO. 206-07 *jm*

**AN ORDINANCE DISCONNECTING CERTAIN TERRITORY  
PURSUANT TO 70 ILCS 705/16d  
(Five Island Park parcels)**

which Ordinance was duly adopted by said Board of Trustees at a meeting held on the 26<sup>th</sup> day of September, 2016.

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.

IN WITNESS WHEREOF, I have hereunto set my hand this 26<sup>th</sup> day of September, 2016.



\_\_\_\_\_  
Secretary, Board of Trustees  
Fox River and Countryside Fire Protection District

ORDINANCE NO. 2016-07

**AN ORDINANCE DISCONNECTING CERTAIN TERRITORY  
PURSUANT TO 70 ILCS 705/16d  
(Five Island Park parcels)**

**WHEREAS**, the Fox River and Countryside Fire Protection District, Kane County, 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 Board finds that the properties identified in Exhibit A and commonly known and referred to as the Five Island Park parcels are currently within the Fox River and Countryside Fire Protection District; and

**WHEREAS**, the properties referred to as the Five Island Park parcels located in the Fox River and Countryside Fire Protection District are collectively smaller than 60 acres; and

**WHEREAS**, the Illinois General Assembly has passed legislation permitting a board of trustees of a fire protection district to annex adjoining territory of no more than 60 acres by ordinance upon agreement of the adjoining fire protection district after advance notice to the affected property owners [70 ILCS 705/16d]; and

**WHEREAS**, the Board has identified certain territory that meets the qualifications set forth by 70 ILCS 705/16d to be disconnected from the District; and

**WHEREAS**, the Board has provided advance notice of the intended disconnection, a copy of which is attached hereto as EXHIBIT B.

**WHEREAS**, the Board finds good and ample cause exists to disconnect by ordinance the properties commonly referred to as the Five Island Park parcels, South Elgin, Illinois and legally described in the attached EXHIBIT A.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Trustees of the Fox River and Countryside Fire Protection District, Kane County, Illinois as follows:

**Section One:** The Board of Trustees of the District hereby finds that the properties commonly referred to as the Five Island Park parcels, South Elgin, Illinois and legally described in **EXHIBIT A** attached hereto (the "Subject Properties") meet the qualifications of 70 ILCS 705/16d, in that the territory:

- A. Consists of unincorporated territory containing 60 acres or less; and
- B. Is adjacent to the South Elgin and Countryside Fire Protection District but contained wholly within the Fox River and Countryside Fire Protection District; and
- C. Would be better served by the South Elgin and Countryside Fire Protection District, because the Fox River does not separate the territory from the rest of the District, leading to faster response time.

**Section Two:** The Board, after giving the property owners proper notice and an opportunity to be heard, hereby disconnects the Subject Properties legally described in **EXHIBIT A** hereto from the District.

**Section Three:** The Fire Chief and District attorney are authorized and directed to file a certified copy of this ordinance with the Kane County Clerk and the State Fire Marshal.

**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, such invalidity or inability to enforce any portion shall not affect any of the remaining provisions of this Ordinance.

**ADOPTED** this 26<sup>th</sup> day of September, 2016, by a roll call vote as follows:

AYES: 3

NAYS: 0

ABSENT: 2

  
\_\_\_\_\_  
President, Board of Trustees  
Fox River and Countryside Fire Protection District

**ATTEST:**

  
\_\_\_\_\_  
Secretary, Board of Trustees  
Fox River and Countryside Fire Protection District

## EXHIBIT A

**PINS:** 09-03-376-002 & 09-03-376-003 **Address:** 35W501 Scott Street, S. Elgin, IL  
**Description:** Lots 12 and 13 in Five Island Park according to the plat recorded April 16, 1930 as document 334192 in Book 26 of Plats, page 31; also that part of the southwest 1/4 of Section 3, Township 40 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at the northwest corner of said Lot 12 in Five Island Park; thence northwesterly at right angles to the westerly line of said Lot 12, a distance of 30.0 feet; thence southeasterly parallel with the westerly line of Five Island park, 99.31 feet to the southerly line of Lot 13 aforesaid, extended; thence southeasterly along said southerly line extended; 30.01 feet to the southeast corner of Lot 13; thence northeasterly along the westerly line of Lots 13 and 12 to the point of beginning, in the Township of St. Charles, Kane County, Illinois.

**PIN:** 09-03-376-004 **Address:** 7N144 Scott Street, S. Elgin, IL  
**Description:** Lot 1 in Carlson's Resubdivision of Five Island Park Subdivision, being a subdivision in the Southwest 1/4 of Section 3, Township 40 North, Range 8, East of the Third Principal Meridian, in the Village of South Elgin, Kane County, Illinois.

**PIN:** 09-03-376-005 **Address:** 7N112 Scott Street, S. Elgin, IL  
**Description:** Lot 2 of Carlson's Resubdivision, of Five Island Park Subdivision, being a subdivision in the Southwest 1/4 of Section 3, Township 40 North, Range 8, East of the Third Principal Meridian, in the Township of St. Charles, Kane County, Illinois

**PIN:** 09-03-376-006 **Address:** 7N104 Blackhawk Drive, S. Elgin, IL  
**Description:** Lot 3 of Carlson's Resubdivision, of Five Island Park Subdivision, being a subdivision in the Southwest 1/4 of Section 3, Township 40 North, Range 8, East of the Third Principal Meridian, in the Township of St. Charles, Kane County, Illinois

**PIN:** 09-03-454-001 & 09-03-454-002 **Address:** 35N511 Blackhawk Drive, S. Elgin, IL  
**Description:** Lots 19, 20 and 21 in "Five Island Park, Kane County, Illinois", in the Township of St. Charles, Kane County, Illinois.

**PIN:** 09-03-454-003 **Address:** 35W491 Blackhawk Drive, S. Elgin, IL  
**Description:** Lot 22 in "Five Island Park, Kane County, Illinois", as per plat recorded April 16, 1930 as document 334192, in Book 26 of Plats, Page 31, in the Township of St. Charles, Kane County, Illinois.

**PIN:** 09-03-454-004 **Address:** 35W497 Blackhawk Drive, S. Elgin, IL  
**Description:** Lot 23 in "Five Island Park, Kane County, Illinois", as per plat recorded April 16, 1930 as document 334192, in Book 26 of Plats, Page 31, in the Township of St. Charles, Kane County, Illinois.

**PIN:** 09-03-454-015  
**Description:** Lot 33 in "Five Island Park, Kane County, Illinois", in the Township of St. Charles, Kane County, Illinois.