

**FOX RIVER & COUNTRYSIDE FIRE/RESCUE DISTRICT
KANE AND DUPAGE COUNTIES, ILLINOIS**

ORDINANCE NO. 2020-01

**AN ORDINANCE ANNEXING TERRITORY
TO THE FOX RIVER & COUNTRYSIDE FIRE/RESCUE DISTRICT
PURSUANT TO 70 ILCS 705/3.3**

WHEREAS, the Fox River & Countryside Fire Rescue District ("District"), Kane and DuPage Counties, Illinois, is a duly organized fire protection district pursuant to the terms and provisions of the Illinois Fire Protection District Act; and

WHEREAS, the District provides fire protection and emergency medical and rescue services to residents and owners of property within the District; and

WHEREAS, the District has, pursuant to Section 10.2 of the Emergency Telephone System Act, been assigned to provide coverage to the following properties lying adjacent to the District but not currently within the boundaries thereof, to-wit: 41W529 Hunter's Hill Dr., St. Charles, Illinois 60175 and 41W536 Hunter's Hill Dr. St. Charles, Illinois 60175 (the "Subject Properties"); and

WHEREAS, no other fire protection district or municipal fire department provides services to the Subject Properties; and

WHEREAS, 70 ILCS 705/3.3 provides that the District may, upon publication of notice as required by law, and notice to the owners of the affected properties, and adoption of an Ordinance, annex such territories to the District, and

WHEREAS, the owners of the Subject Properties set forth below have been given notice of the hearing as required in 70 ILCS 705/3.3 and notice of said hearing has been duly published; and

WHEREAS, the public hearing required by 70 ILCS 705/3.3 has been held; and

WHEREAS, the Board of Trustees of the District deem it to be in the best interests of the District and its residents that the Subject Properties be annexed to the District;

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Fox River & Countryside Fire/Rescue District, Kane and DuPage Counties, Illinois as follows;

SECTION 1. The facts and statements set out in the preamble to this Ordinance are hereby found the Board of Trustees of the District to be true and correct and are hereby adopted and incorporated as part of this Ordinance.

SECTION 2. The following properties identified by parcel number, address and legal description are hereby annexed to the Fox River & Countryside Fire Rescue District:

1.) Parcel No. 08-15-303-008

Owner: Merritt, John Living Trust

Property Address: 41W529 Hunters Hill Dr., St. Charles, IL 60175, legally described as follows:

LOT 3 IN UNIT NO. 3, HUNTER'S HILL, CAMPTON TOWNSHIP, KANE COUNTY, ILLINOIS, IN THE TOWNSHIP OF CAMPTON, KANE COUNTY, ILLINOIS.

2.) Parcel No. 08-15-326-002 & 08-15-426-002

Owner: Powell, Christopher & Kristen

Property Address: 41W536 Hunters Hill Dr., St. Charles, IL 60175, legally described as follows:

LOT 26 IN UNIT NO. 2, HUNTER'S HILL, CAMPTON TOWNSHIP, KANE COUNTY, ILLINOIS, IN THE TOWNSHIP OF CAMPTON, KANE COUNTY, ILLINOIS.

The Subject Properties are depicted and described on Exhibits "A and B" respectively attached hereto and made a part hereof

SECTION 3. The Board of Trustees of the District hereby finds that the Subject Properties meet the qualifications of 70 ILCS 705/3.3, in that the District is providing coverage to these properties, pursuant to the direction of the Kane County Emergency Telephone System Board and dispatched by KaneComm Public Safety Dispatch, all in accordance with Section 10.2 of the Emergency Telephone System Act, as evidenced by the affidavit of Fire Chief John Nixon, attached hereto as **EXHIBIT C**.

SECTION 4. 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, and to send a certified copy of this Ordinance to the owners of the Subject Properties.

SECTION 5. The provisions of this Ordinance shall be in full force and effect upon the adoption and signing of the Ordinance.

SECTION 6. 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 7. 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 21st day of January, 2020, by roll call vote as follows:

AYES: 5 Handley, Dunham, Karr, LeBlanc, Wegman

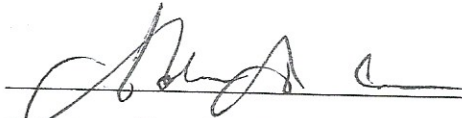
NAYES: Ø

ABSENT: Ø



President, Board of Trustees
Fox River & Countryside Fire/Rescue District

ATTEST:



Secretary, Board of Trustees
Fox River & Countryside Fire/Rescue District

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

SECRETARY'S CERTIFICATE

I, John Karr, the duly qualified and acting Secretary of the Board of Trustees of the Fox River & Countryside Fire Rescue District, Kane County, Illinois, do hereby certify that attached hereto is a true and correct copy of an Ordinance entitled:

**ORDINANCE NO. 2020-01
AN ORDINANCE ANNEXING TERRITORY
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PURSUANT TO 70 ILCS 705/3.3**

Which Ordinance was duly adopted by said Board of Trustees at a regular meeting held on the 21th day of January, 2020.

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.

Dated this 21st day of January, 2020

A handwritten signature in dark ink, appearing to read 'John Karr', is written over a horizontal line.

John Karr, Secretary