

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

SECRETARY'S CERTIFICATE

T. Francis G. Mollenhauer 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. 2016-08 JMA

**AN ORDINANCE DISCONNECTING CERTAIN TERRITORY
PURSUANT TO 70 ILCS 705/16d
(Thornwood Subdivision parcels)**

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



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

ORDINANCE NO. 2016-08

**AN ORDINANCE DISCONNECTING CERTAIN TERRITORY
PURSUANT TO 70 ILCS 705/16d
(Thornwood Subdivision 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 Thornwood Subdivision parcels are currently within the Fox River and Countryside Fire Protection District; and

WHEREAS, the properties referred to as the Thornwood Subdivision 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 Thornwood Subdivision 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 Thornwood Subdivision 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 territory is completely surrounded by the District, leading to faster response time and continuity of service.

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.

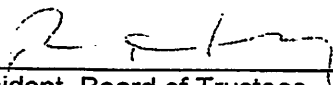
Section Six: If any section, paragraph or provision of this Ordinance shall be held invalid or unenforceable for any reason, such invalidity or inability to enforce any portion shall not affect any of the remaining provisions of this Ordinance.

ADOPTED this 26th 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

PIN: 09-05-276-010

Address: Portion of 679 Chasewood Drive, S. Elgin, IL

Description: Lot 252 in Thornwood Phases I, IIA and IIB, being a Subdivision in part of Section 5, Township 40 North, Range 8, East of the Third Principal Meridian, according to the Plat thereof recorded October 19, 1998 as Document 98K096198, in the Village of South Elgin, Kane County, Illinois.

PIN: 09-05-277-005

Address: Portion of 678 Chasewood Drive, S. Elgin, IL

Description: Lot 178 in Thornwood Phase 11B according to the Plat recorded October 19, 1998 as Document 98K096198, in the Village of South Elgin, Kane County, Illinois.

PIN: 09-05-300-002 (NICOR ROW)

Description: That part of the Southwest Quarter of section 5, Township 40 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at the Southeast corner of said Southwest Quarter; thence North along the East line of said Southwest Quarter, 2,614 feet; thence West 0 degrees, 59 feet; thence South 90 degrees to the South line of said Southwest Quarter, 2,614 feet; thence East along the South line of said Southwest Quarter, 66 feet to the point of beginning, in the township of St. Charles, Kane County, Illinois.