

**APPROVING AN AMENDMENT TO ORDINANCE 1997-036 AND ORDINANCE 1997-037 TO ALLOW A 55 PLUS RESIDENTIAL COMMUNITY FOR THE VILLAS AT BRIDGES OF RIVERMIST, DEKALB, ILLINOIS (RIVERMIST BY GRAINGER LLC).**

**WHEREAS**, the City of DeKalb (the "City") is a home rule unit of local government and may exercise any power and perform any function pertaining to its government and affairs pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

**WHEREAS**, Rivermist by Grainger LLC (the "Petitioner") is the contract purchaser of approximately 35 acres of real property that is located along the north side of Bethany Road between Sangamon Road and Tygert Lane, which is legally described in the attached and incorporated Exhibit A (the "Property"); and

**WHEREAS**, Petitioner's petition (the "Petition") seeks to: (1) amend the preliminary plan approved by Ordinances 1997-036 and 1997-037 to allow for the construction of 55+ age-restricted residential development on the Property that consists of 22 single-family detached homes, 19 6-unit townhomes, 22 4-unit townhomes, a clubhouse, dog park, indoor and outdoor pickle-ball courts, a botanical garden, and accessory uses; and (2) approve the Preliminary Plan dated 1-18-24 attached and incorporated as Exhibit B (the "Preliminary Plan"), the Architectural Elevations attached and incorporated as Exhibit C (the "Architectural Elevations"), and the Development Standards attached and incorporated as Exhibit D (the "Development Standards"); and

**WHEREAS**, on March 4, 2024, pursuant to due notice, the City's Planning and Zoning Commission (the "PZC") held a public hearing on the Petition, made findings of fact, and recommended approving the Petition; and

**WHEREAS**, the City's corporate authorities find that: (1) the City's Planning and Zoning Commission's findings of fact are true, accurate, adopted and incorporated by reference; (2) the Preliminary Plan conforms to the City's Unified Development Ordinance (the "UDO"); and (3) approving the Petition is in the City's best interests for the protection of the public health, safety, and welfare; and

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DEKALB, ILLINOIS:**

**SECTION 1: Recitals.** The recitals to this ordinance are true, accurate, adopted and incorporated herein as Section 1 to this ordinance.

**SECTION 2: Ordinance Amendment and Preliminary Plan Approved.** Subject to and contingent upon Petitioner's compliance with this Ordinance, the City's Municipal Code and UDO, applicable laws, and Petitioner's representations to the PZC and City Council, the City's corporate authorities: (1) grant the Petition; (2) adopt an amendment to the preliminary plan approved by Ordinances 1997-036 and 1997-037 to allow for the construction of 55+ age-restricted residential development on the Property that consists of 22 single-family detached homes, 19 6-unit townhomes, 22 4-unit townhomes, a clubhouse, dog park, indoor and outdoor pickle-ball courts, a botanical garden, and accessory uses; and (3) approve the Preliminary Plan dated 1-18-24 attached and incorporated as Exhibit B (the "Preliminary Plan"), the Architectural Elevations attached and incorporated as Exhibit C (the "Architectural Elevations"), and the Development Standards attached and incorporated as Exhibit D (the "Development Standards").

**SECTION 3: Recording Directed.** City Staff are authorized and directed to record this ordinance in the DeKalb County Recorder's Office.

**SECTION 4: Severability.** Should any provision of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and effect as if the invalid provision had not been a part of this ordinance.

**SECTION 5: Home Rule.** This ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the City's corporate authorities to the extent that the terms of this ordinance should be inconsistent with any non-preemptive state law, that this ordinance shall supersede state law in that regard within its jurisdiction.

**SECTION 6: Effective Date.** This ordinance shall be in full force and effect after passage and publication as provided by law. Publication date: March 12, 2024. Effective date: March 21, 2024.

**PASSED BY THE CITY COUNCIL** of the City of DeKalb, Illinois at a Regular meeting thereof held on the 11<sup>th</sup> day of March 2024 and approved by me as Mayor on the same day. Passed on First Reading by an 8-0 roll call vote. Aye: Zasada, Larson, Smith, Perkins, McAdams, Verbic, Walker, Barnes. Nay: None. Second Reading waived an 8-0 roll call vote. Aye: Zasada, Larson, Smith, Perkins, McAdams, Verbic, Walker, Barnes. Nay: None.



  
COHEN BARNES, Mayor

ATTEST:  


Ruth A. Scott, Executive Assistant

## EXHIBIT A

The Land is described as follows:

THAT PART OF THE SOUTH  $\frac{1}{2}$  OF SECTION 2, TOWNSHIP 40 NORTH, RANGE 4, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 11, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHEAST CORNER OF LOT 1015 OF THE BRIDGES OF RIVERMIST UNIT 3, A SUBDIVISION OF PART OF SAID SECTION 2, SAID POINT ALSO BEING ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF BETHANY ROAD; THENCE SOUTH 24 DEGREES 19 MINUTES 10 SECONDS WEST 208.36 FEET, ALONG SAID NORTHWESTERLY LINE TO A POINT OF CURVE; THENCE SOUTHWESTERLY, ALONG SAID NORTHWESTERLY LINE, ALONG A CURVE WHOSE CENTER LIES NORTHWESTERLY AND HAS A RADIUS OF 825.00 FEET, 569.39 FEET, ARC, (CHORD BEARING SOUTH 44 DEGREES 05 MINUTES 29 SECONDS WEST, 558.16 FEET, CHORD) TO THE NORTH RIGHT-OF-WAY LINE OF ABANDONED CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD; THENCE NORTH 60 DEGREES 11 MINUTES 35 SECONDS WEST, ALONG SAID NORTH LINE, 420.39 FEET, TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 2; THENCE NORTH 89 DEGREES 26 MINUTES 07 SECONDS WEST, ALONG SAID SOUTH LINE OF THE SOUTHWEST QUARTER, 204.91 FEET, TO THE SOUTH RIGHT-OF-WAY LINE OF SAID ABANDONED CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD; THENCE SOUTH 60 DEGREES 14 MINUTES 16 SECONDS EAST, LONG SAID SOUTH LINE, 485.30 FEET, TO A POINT ON CURVE ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID BETHANY ROAD; THENCE WESTERLY, ALONG SAID NORTHERLY LINE, ALONG A CURVE WHOSE CENTER LIES ORTHERLY AND HAS A RADIUS OF 800.00 FEET, 205.95 FEET, ARC, (CHORD BEARING SOUTH 81 DEGREES 46 MINUTES 57 SECONDS WEST, 206.38 FEET CHORD) TO A BEND IN SAID NORTHERLY LINE; THENCE NORTH 74 DEGREES 52 MINUTES 32 SECONDS WEST ALONG SAID NORTHERLY LINE, 1032.02 FEET, TO THE EASTERLY RIGHT-OF-WAY OF SANGAMON ROAD; THENCE NORTH 0 DEGREES 36 MINUTES 26 SECONDS EAST, ALONG SID EASTERLY LINE 387.75 FEET, TO A POINT OF CURVE THENCE NORTHEASTERLY, ALONG SAID EASTERLY LINE, ALONG A CURVE WHOSE CENTER LIES EASTERLY AND HAS A RADIUS OF 365.00 FEET, 184.76 FEET, ARC, (CHORD BEARING NORTH 15 DEGREES 06 MINUTES 30 SECONDS EAST, 182.79 FEET, CHORD); THENCE NORTH 29 DEGREES 36 MINUTES 34 SECONDS EAST, ALONG SAID EASTERLY LINE OF SANGAMON ROAD, 23.97 FEET TO A POINT ON CURVE, SAID POINT ALSO BEING A SOUTHERLY LINE OF THE BRIDGES OF RIVERMIST UNIT 4, A SUBDIVISION OF PART OF SAID SECTION 2; THENCE NORTHEASTERLY, ALONG SAID SOUTH LINE, ALONG A CURVE WHOSE CENTER LIES SOUTHERLY, AND HAS A RADIUS OF 10.00 FEET, 15.71 FEET, ARC, (CHORD BEARING NORTH 74 DEGREES 36 MINUTES 34 SECONDS EAST. 14.14 FEET CHORD) TO THE SOUTHERLY RIGHT-OF-WAY OF CUTLER DRIVE; THENCE SOUTH 60 DEGREES 23 MINUTES 26 SECONDS EAST, ALONG CUTLER DRIVE, 236.00 FEET TO THE EASTERLY LINE OF COMSTOCK AVENUE; THENCE NORTH 29 DEGREES 36 MINUTES 34 SECONDS EAST, ALONG SAID EASTERLY LINE; 347.23 FEET, TO A POINT OF CURVE; THENCE NORTHEASTERLY, ALONG SAID EASTERLY LINE ON A CURVE WHOSE CENTER LIES NORTHWESTERLY AND HAS A RADIUS OF 921.00 FEET 76.99 FEET, ARC, (CHORD BEARING NORTH 27 DEGREES 12 MINUTES 53 SECONDS EAST, 76.97 FEET, CHORD); THENCE NORTHEASTERLY, ALONG SAID EASTERLY LINE, ALONG A CURVE WHOSE CENTER LIES SOUTHERLY AND HAS A RADIUS OF 10.00 FEET, 15.25 FEET, ARC, (CHORD BEARING NORTH 68 DEGREES 29 MINUTES 47 SECONDS EAST, 13.81 FEET, CHORD), TO THE SOUTHERLY RIGHT-OF-WAY LINE OF LARKING AVENUE; THENCE SOUTH 67 DEGREES 49 MINUTES 39 SECONDS EAST, ALONG SAID SOUTHERLY LINE, 105.02 FEET, TO A POINT OF CURVE; THENCE EASTERLY, ALONG SAID SOUTHERLY LINE, ALONG A CURVE WHOSE CENTER LIES NORTHERLY AND HAS A RADIUS OF 333.00 FEET, 125.58 FEET, ARC, (CHORD BEARING SOUTH 78 DEGREES 37 MINUTES 53 SECONDS EAST, 124.84 FEET, CHORD); THENCE SOUTH 89 DEGREES 26 MINUTES 07 SECONDS EAST ALONG SAID SOUTHERLY LINE, 287.54 FEET TO A POINT OF CURVE; THENCE EASTERLY, ALONG SAID SOUTHERLY LINE, ALONG A CURVE WHOSE CENTER LIES NORTHERLY AND HAS A RADIUS OF 1233.00 FEET, 644.15 FEET ARC, (CHORD BEARING NORTH 75 DEGREES 35 MINUTES 54 SECONDS EAST 636.85 FEET) TO THE WESTERLY LINE OF AFORESAID BRIDGES OF RIVERMIST UNIT 3; THENCE SOUTH 21 DEGREES 46 MINUTES 16 SECONDS EAST ALONG SAID WESTERLY LINE, 283.01 FEET; THENCE SOUTH 11 DEGREES 35 MINUTES 32 SECONDS EAST ALONG SAID SOUTHERLY LINE, 94.83 FEET; THENCE

SOUTH 1 DEGREES 34 MINUTES 30 SECONDS WEST ALONG SAID WESTERLY LINE, 189.38 FEET  
THENCE SOUTH 80 DEGREES 17 MINUTES 50 SECONDS EAST ALONG SAID WESTERLY LINE  
79.36 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, ALL IN DEKALB COUNTY, ILLINOIS.

# EXHIBIT B

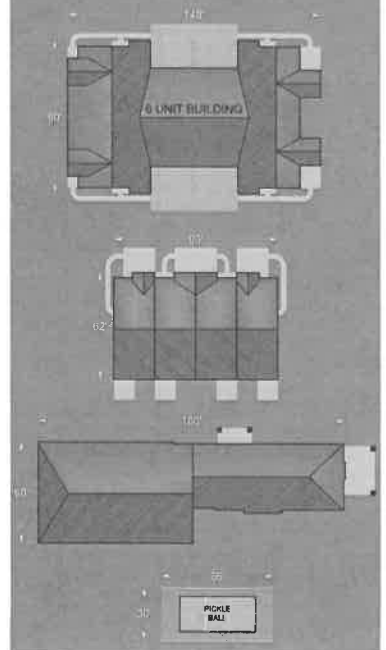


## LOT SUMMARY

22	60' X 120' LOTS
19 (114)	6 UNIT BUILDINGS
22 (88)	4 UNIT TOWNHOMES
224	TOTAL LOTS/UNITS

5.4 DU/AC OVERALL DENSITY  
6.3 DU/AC BOUNDARY DENSITY

## LOT/BUILDING TYPICALS



## MASTER PLAN

## THE VILLAS AT BRIDGES OF RIVERMIST

BY GRAINGER

DEKALB, IL



SCALE 1" = 50'  
January 18, 2024

All dimensions are shown as approximate. All dimensions are subject to change without notice. The actual dimensions of the site may vary. All dimensions are subject to change without notice.

EXHIBIT C



EXHIBIT C





EXHIBIT C





## EXHIBIT D

### Permitted Uses:

A 55 plus age restricted residential development consisting of no more than 22 single family detached homes, (19) 6-unit townhomes, (22) 4-unit townhomes. Accessory uses including a clubhouse, dog park, indoor and outdoor pickle-ball, botanical garden, and associated uses.

### Bulk Regulations/Landscaping/Parking/Fences/Open Space:

Setbacks, building lines, site coverage, building dimension limitations, height restrictions, parking, landscaping and other similar restrictions and regulations shall meet those standards as set forth in the PD-R District and the SFR2 District of the UDO. A six (6) foot high open fence is allowed around the perimeter of the site. Fences for the single-family detached lots along Larking Ave. and Comstock Ave. shall comply with the UDO.

### Final Plan and Final Plat Review:

Prior to issuance of a Site Development Permit, a Final Plan and Final Plat shall be submitted and reviewed by the City's Planning and Zoning Commission and City Council pursuant to the procedures in the Unified Development Ordinance. A Mass Grading Permit may be issued by the City Engineer prior to the approval of a Site Development Permit.

### Conditions:

1. There shall be two full access points into the development, one from Larking Ave. and one from the intersection of Cutler Dr. and Comstock Ave.
2. The Final Plat shall note the subdivision is subject to covenants, conditions and restrictions and fees for a new homeowners association and the existing Bridges of Rivermist HOA.
3. The 1-acre DeKalb Township parcel off Bethany Road shall be brought into the project or removed from the development and reflected as such on the Final Plan and Final Plat.
4. The entry (security) gates at the two entrances shall be removed from the preliminary plan.

**ORDINANCE 97-36**

**PASSED: May 27, 1997**

**GRANTING A ZONING CHANGE FROM "SFR-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "PD-R" PLANNED DEVELOPMENT RESIDENTIAL, ALONG WITH A PRELIMINARY PLAN, FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF NORTH FIRST STREET AND RICH ROAD.**

**WHEREAS**, a petition has been filed by DeKalb Associates, owner, with the City Clerk asking for a change in the Zoning District Map; and,

**WHEREAS**, a public hearing has been held by the DeKalb Plan Commission on April 30, 1997, following the required published notice of the time and place of the hearing; and

**WHEREAS**, the DeKalb Plan Commission has considered the change in the Zoning District Map from "SFR-1" Single Family Residential to "PD-R" Planned Development Residential, and recommended approval by a vote of 5-0; and

**WHEREAS**, the proposed rezoning is compatible with the existing land uses and proposed development plans for the area; will not impair the public health, safety, morals and welfare of the community, and will provide additional property tax revenue; now

**BE IT ORDAINED BY THE CITY COUNCIL** of the City of DeKalb, Illinois, as follows:

**Section 1.** That the District Zoning Map be amended by deleting as "SFR-1" Single Family Residential the land described in Exhibit "A".

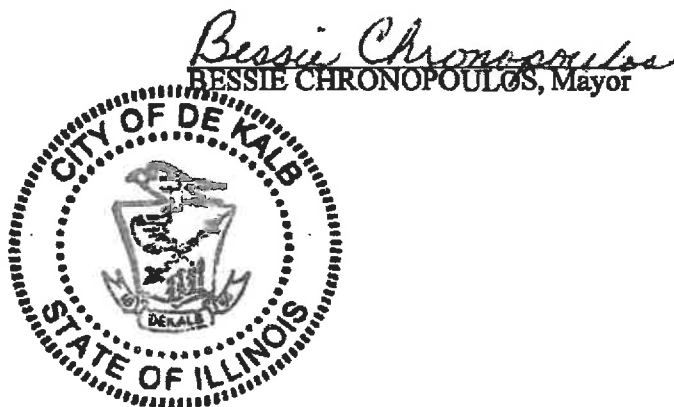
**Section 2.** That this property shall be added to the District Map as "PD-R", Planned Development Residential, including approval of the preliminary development plan as attached and labeled as Exhibit "B".

**Section 3.** That except for the amendments made above, all provisions of the Unified Development Ordinance shall remain in full force and effect, and this Ordinance shall take effect upon its passage according to law.

**PASSED BY THE CITY COUNCIL** of the City of DeKalb, Illinois, at a regular meeting held on the 27<sup>th</sup> day of May, 1997, and approved by y me as Mayor on the same day. First reading on May 12, 1997. Second reading on May 27, 1997. Roll call vote 7-0. Aye: Polzin, Povlsen, Kapitan, Checa, Conboy, Raffel, Gregory.

ATTEST:

  
DONNA S. JOHNSON, City Clerk



#4

**Exhibit "A": Legal Description, Rezoning from "SFR-1" Single Family Residential, to "PD-R" Planned Development Residential, The Bridges of RiverMist Planned Development**

Tracts 1 through 5 of the DeKalb Associates property, as further described in the following pages, excepting therefrom the property shown as Parcel "A" on the attached Preliminary Plan (Exhibit "B"), and legally described as follows:

That part of the south half of Section 2, Township 40 North, Range 4, East of the Third Principal Meridian, in the County of DeKalb, Illinois, beginning at the intersection of Rich Road and the centerline of North First Street, thence westerly 500 feet along the north line of Parcel 4 of the estate of Paul Nehring farm plat, thence southerly 225 feet, thence easterly 214 feet, thence southeasterly 247.77 feet, thence southwesterly 18.23 feet, thence easterly 29.54 feet, thence northeasterly 346 feet to the point of beginning, all in DeKalb Township, Illinois.

TRACT ONE:

THAT PART OF THE SOUTH 1/2 OF SECTION 2, TOWNSHIP 40 NORTH, RANGE 4, EAST OF THE THIRD PRINCIPAL MERIDIAN, DEKALB COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:: BEGINNING ON THE WEST LINE OF SAID SECTION, AT THE SOUTHWEST CORNER OF ASSESSOR'S LOT 17 OF SAID SECTION, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF LOT "D" ON THE FLINN FARM PLAT; THENCE EASTERLY, ALONG THE NORTH LINE OF SAID LOT "D" (SAID NORTH LINE ALSO BEING THE SOUTH LINE OF ASSESSOR'S LOTS 17 AND 18), 2205.95 FEET TO A POINT THAT IS 1.0 FOOT WEST OF THE NORTHEAST CORNER OF SAID LOT "D"; THENCE SOUTHERLY, AT AN ANGLE OF 90 DEGREES, 41 MINUTES, 56 SECONDS, MEASURED COUNTERCLOCKWISE FROM SAID NORTH LINE, ALONG A LINE THAT PROJECTED INTERSECTS THE SOUTH LINE OF SAID LOT "D", 2.0 FEET WEST OF THE SOUTHEAST CORNER THEREOF, 613.68 FEET TO A LINE 105.65 FEET NORTHERLY OF, AS MEASURED ALONG THE EAST LINE OF SAID LOT "D", AND PARALLEL WITH THE NORTH LINE OF LOT "C" OF SAID FLINN FARM PLAT; THENCE EASTERLY, ALONG SAID PARALLEL LINE, AT AN ANGLE OF 90 DEGREES, 22 MINUTES, 46 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 1582.58 FEET TO THE CENTER LINE OF NORTH FIRST STREET (COUNTY HIGHWAY 22); THENCE NORTHEASTERLY, ALONG SAID CENTER LINE, 63.42 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 57300.0 FEET, TO A POINT ON SAID CENTER LINE THAT IS 190.0 FEET NORTHERLY OF, AS MEASURED ALONG SAID CENTER LINE, THE POINT OF INTERSECTION OF SAID CENTER LINE WITH THE NORTH LINE OF SAID LOT "C"; THENCE NORTHWESTERLY, ALONG A LINE RADIAL TO SAID CENTER LINE, 257.0 FEET; THENCE NORTHERLY, AT AN ANGLE OF 90 DEGREES, 05 MINUTES, 06 SECONDS, MEASURED COUNTERCLOCKWISE FROM SAID RADIAL LINE 169.24 FEET; THENCE SOUTHEASTERLY AT AN ANGLE OF 90 DEGREES, 05 MINUTES, 06 SECONDS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, ALONG A LINE RADIAL TO SAID CENTER LINE, 257.0 FEET TO THE CENTER LINE OF SAID NORTH FIRST STREET; THENCE NORTHEASTERLY, ALONG SAID CENTER LINE, 142.52 FEET ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 57300.0 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTER LINE, TANGENT TO THE LAST DESCRIBED CURVE, 355.34 FEET TO THE MOST SOUTHERLY CORNER OF GOTMER'S SUBDIVISION; THENCE NORTHWESTERLY, AT AN ANGLE OF 90 DEGREES 08 MINUTES, MEASURED CLOCKWISE FROM SAID CENTER LINE, ALONG THE SOUTHERLY LINE OF SAID SUBDIVISION, 379.2 FEET TO THE MOST WESTERLY CORNER OF SAID SUBDIVISION; THENCE NORTHEASTERLY, AT AN ANGLE OF 255 DEGREES 30 MINUTES, MEASURED CLOCKWISE FROM SAID SOUTHERLY LINE, ALONG THE WESTERLY LINE OF SAID SUBDIVISION, 300.0 FEET; THENCE EASTERLY, AT AN ANGLE OF 253 DEGREES, 43 MINUTES, 53 SECONDS, MEASURED CLOCKWISE FROM SAID WESTERLY LINE, ALONG A NORTHERLY LINE OF SAID SUBDIVISION, 214.0 FEET; THENCE SOUTHEASTERLY, AT AN ANGLE OF 195 DEGREES, 51 MINUTES, 22 SECONDS MEASURED CLOCKWISE FROM SAID NORTHERLY LINE, 247.77 FEET TO THE CENTER LINE OF SAID NORTH FIRST STREET; THENCE SOUTHWESTERLY, ALONG SAID CENTER LINE, 18.23 FEET, ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1910.0 FEET; THENCE NORTHEASTERLY, AT AN ANGLE OF 39 DEGREES, 39 MINUTES, 57 SECONDS, MEASURED CLOCKWISE FROM THE CHORD FORMED BY THE LAST DESCRIBED CURVE, 29.54 FEET; THENCE NORTHEASTERLY, AT AN ANGLE OF 132 DEGREES, 05 MINUTES, 07 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 346.0 FEET TO A POINT ON THE NORTH LINE OF PARCEL 4 OF THE ESTATE OF PAUL A. NEHRING FARM PLAT THAT IS 689.55 FEET WESTERLY OF, AS MEASURED ALONG SAID NORTH LINE, THE NORTHEAST CORNER OF SAID PARCEL 4; THENCE WESTERLY, AT AN ANGLE OF 76 DEGREES, 39 MINUTES, 05 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, ALONG THE NORTH LINE OF SAID PARCEL 4, 1977.35 FEET; THENCE CONTINUING WESTERLY, ALONG THE NORTH LINE OF SAID PARCEL 4, AT AN ANGLE OF 179 DEGREES, 21 MINUTES, 43 SECONDS, MEASURED

EXHIBIT "A"

96008451

44  
CLOCKWISE FROM THE LAST DESCRIBED COURSE, 2655.08 FEET TO THE WEST LINE OF SAID SECTION 2; THENCE SOUTHERLY, AT AN ANGLE OF 89 DEGREES, 00 MINUTES, 51 SECONDS, MEASURED CLOCKWISE FROM SAID NORTH LINE, ALONG SAID WEST LINE, 779.99 FEET TO THE POINT OF BEGINNING, ALL IN DEKALB TOWNSHIP, DEKALB COUNTY, ILLINOIS.

TRACT TWO:

THAT PART OF PARCEL 4 OF THE ESTATE OF PAUL A. NEHRING FARM PLAT, IN SECTION 2, TOWNSHIP 40 NORTH, RANGE 4, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:: BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF NORTH FIRST STREET (COUNTY HIGHWAY NO. 22) WITH THE NORTH LINE OF LOT "C" OF THE FLINN FARM PLAT; THENCE WESTERLY, ALONG SAID NORTH LINE, AND SAID NORTH LINE EXTENDED, 1612.27 FEET TO A WESTERLY LINE OF SAID PARCEL 4; THENCE NORTHERLY, ALONG SAID WEST LINE, AT AN ANGLE OF 90 DEGREES, 22 MINUTES, 46 SECONDS, MEASURED COUNTERCLOCKWISE FROM SAID NORTH LINE, 105.65 FEET; THENCE EASTERLY, AT AN ANGLE OF 89 DEGREES, 37 MINUTES, 14 SECONDS, MEASURED COUNTERCLOCKWISE FROM SAID WESTERLY LINE, PARALLEL WITH SAID NORTH LINE, 1682.68 FEET TO SAID CENTER LINE; THENCE SOUTHWESTERLY, ALONG SAID CENTER LINE, 126.57 FEET, ON THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 57,300.00 FEET TO THE POINT OF BEGINNING, ALL IN DEKALB TOWNSHIP, DEKALB COUNTY, ILLINOIS.

TRACT THREE:

*NORTH*  
THAT PART OF THE NORTHWEST 1/4 OF SECTION 11, AND THE SOUTHWEST 1/4 OF SECTION 2, ALL IN TOWNSHIP 40, RANGE 4, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 2; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SECTION, 759.74 FEET (RECORD 761.0 FEET) TO THE SOUTH LINE OF LOT "D" OF THE FLINN FARM PLAT; THENCE EASTERLY, ALONG SAID LINE, 2205.64 FEET (RECORD 2205.5 FEET) TO THE SOUTHEAST CORNER OF SAID LOT "D"; THENCE EASTERLY, ALONG THE SOUTH LINE OF LOT "C" OF SAID FLINN FARM PLAT, 814.42 (RECORD 814.4 FEET) TO THE SOUTHWESTERLY LINE OF LOT "B" OF SAID FLINN FARM PLAT; THENCE SOUTHEASTERLY, ALONG SAID SOUTHWESTERLY LINE, 648.91 FEET (RECORD 647.0 FEET) TO THE CENTER LINE OF NORTH FIRST STREET (COUNTY HIGHWAY NO. 22); THENCE SOUTHWESTERLY, ALONG SAID CENTER LINE, 339.0 FEET; THENCE NORTHWESTERLY, AT RIGHT ANGLE TO SAID CENTER LINE, 435.0 FEET; THENCE SOUTHWESTERLY, AT RIGHT ANGLE TO THE LAST DESCRIBED COURSE, PARALLEL WITH SAID CENTER LINE, 375.0 FEET; THENCE SOUTHEASTERLY, AT RIGHT ANGLE TO THE LAST DESCRIBED COURSE, 435.0 FEET TO SAID CENTER LINE; THENCE SOUTHWESTERLY, ALONG SAID CENTER LINE, 46.67 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY, ALONG SAID CENTER LINE, 400.0 FEET, ON THE ARC OF A CURVE TO THE LEFT, TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 1909.85 FEET; THENCE SOUTHWESTERLY, ALONG SAID CENTER LINE, TANGENT TO THE LAST DESCRIBED CURVE, 50.72 FEET TO THE NORTH LINE OF OAKWOOD MANOR SUBDIVISION; THENCE WESTERLY, ALONG SAID NORTH LINE, AT AN ANGLE OF 104 DEGREES 09 MINUTES, MEASURED COUNTER CLOCKWISE FROM SAID CENTER LINE, 48.8 FEET TO THE MOST WESTERLY CORNER OF OAKWOOD MANOR SUBDIVISION; THENCE SOUTHWESTERLY, ALONG THE NORTHWESTERLY LINE OF SAID OAKWOOD MANOR SUBDIVISION, (SAID NORTHWESTERLY LINE BEING THE CENTER LINE OF NORTH FIRST STREET BEFORE REALIGNMENT AND RELOCATION) AT AN ANGLE OF 115 DEGREES 26 MINUTES, MEASURED CLOCKWISE FROM THE SAID NORTH LINE, 113.4 FEET TO THE FORMER NORTHERLY RIGHT OF WAY LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD (NOW ABANDONED); THENCE NORTHWESTERLY, ALONG SAID RIGHT OF WAY LINE, AT AN ANGLE OF 93 DEGREES 54 MINUTES, MEASURED COUNTERCLOCKWISE FROM SAID NORTHWESTERLY LINE, 1552.5 FEET TO THE SOUTH LINE OF SAID SECTION 2; THENCE WESTERLY, ALONG SAID SOUTH LINE, AT AN ANGLE OF 150 DEGREES, 45 MINUTES, 17 SECONDS, MEASURED CLOCKWISE FROM SAID NORTHERLY RIGHT OF WAY LINE, 204.66 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD (NOW ABANDONED); THENCE SOUTHEASTERLY, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, AT AN ANGLE OF 29 DEGREES, 14

#4

MINUTES, 43 SECONDS, MEASURED COUNTERCLOCKWISE FROM SAID SOUTH LINE, 807.5 FEET TO THE NORTHERLY LINE OF ASSESSOR'S LOT 5; THENCE NORTHWESTERLY, ALONG SAID NORTHERLY LINE, AT AN ANGLE OF 14 DEGREES, 39 MINUTES, 38 SECONDS, MEASURED COUNTERCLOCKWISE FROM SAID SOUTHERLY RIGHT OF WAY LINE, 1566.63 FEET TO THE SOUTH LINE OF SAID SECTION 2; THENCE WESTERLY, ALONG SAID SOUTH LINE, 407.2 FEET TO THE POINT OF BEGINNING, ALL IN DEKALB TOWNSHIP, DEKALB COUNTY, ILLINOIS.

96008651

TRACT FOUR: Lot D and Part of Lots C, E and F as shown by the Plat of the George Flinn Farm on Sections 2 and 3 of Township 40 North, Range 4 East of the Third Principal Meridian, said plat being filed on January 22nd, 1927, in the Recorder's Office of DeKalb County, Illinois, and recorded in Book "F" of Plats, Page 3, bounded and described as follows: Lot D (except that part of Lot "D", (except the South 24.75 feet thereof) of the George Flinn Farm, according to the plat thereof recorded in Book "F" of Plats, Page 3, which lies East of a line drawn from a point on the North line of said Lot "D", 1.0 feet West of the Northeast corner thereof to a point on the South line 2.0 feet West of the Southeast corner thereof) and Lot C (excepting from said Lot "C" that part thereof described as follows, to-wit: Beginning at the Northeast corner of said Lot C; thence Southwesterly along the Easterly boundary of said Lot C, a distance of 29.89 feet to the Northeast corner of Lot B; thence Westerly along the common boundary line between said Lots B and C, a distance of 779.5 feet, more or less, to the Northwest corner of said Lot B; thence Northerly at right angles to the last described course, a distance of 24.75 feet to a point on the North line of said Lot C; thence Easterly along the North boundary of said Lot C, a distance of 796.3 feet to the place of beginning); also that part of Lots E and F, bounded and described as follows: Beginning at the Southeast corner of said Section 3; thence North (assumed bearing) along the East line of said Section 3, a distance of 688.75 feet, to a point on the Southerly line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence North 59 degrees 59 minutes 41 seconds West, along said Southerly line, a distance of 508.06 feet; thence South 00 degrees 03 minutes 43 seconds East, a distance of 940.06 feet to a point on the South line of said Section 3; thence South 89 degrees 23 minutes East, along said South line of Section 3, a distance of 438.96 feet, to the point of beginning. ALSO that part of said Lots E and F, bounded and described as follows: Beginning at a point on the East line of said Section 3, said point being on the Northerly line of the Chicago, Milwaukee, St. Paul and Pacific Railroad, said point being 804.23 feet North of the Southeast corner of said Section 3, as measured along said East line of Section 3; thence continuing North, along said East line, a distance of 1486.68 feet, to a point on the center line of a public road designated Rich Road; thence North 88 degrees 58 minutes 46 seconds West, along said center line, a distance of 441.50 feet; thence South 00 degrees 03 minutes 43 seconds East, a distance of 1240.40 feet, to a point on said Northerly line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence South 59 degrees 59 minutes 41 seconds East, along said Northerly line, a distance of 508.20 feet to the point of beginning.

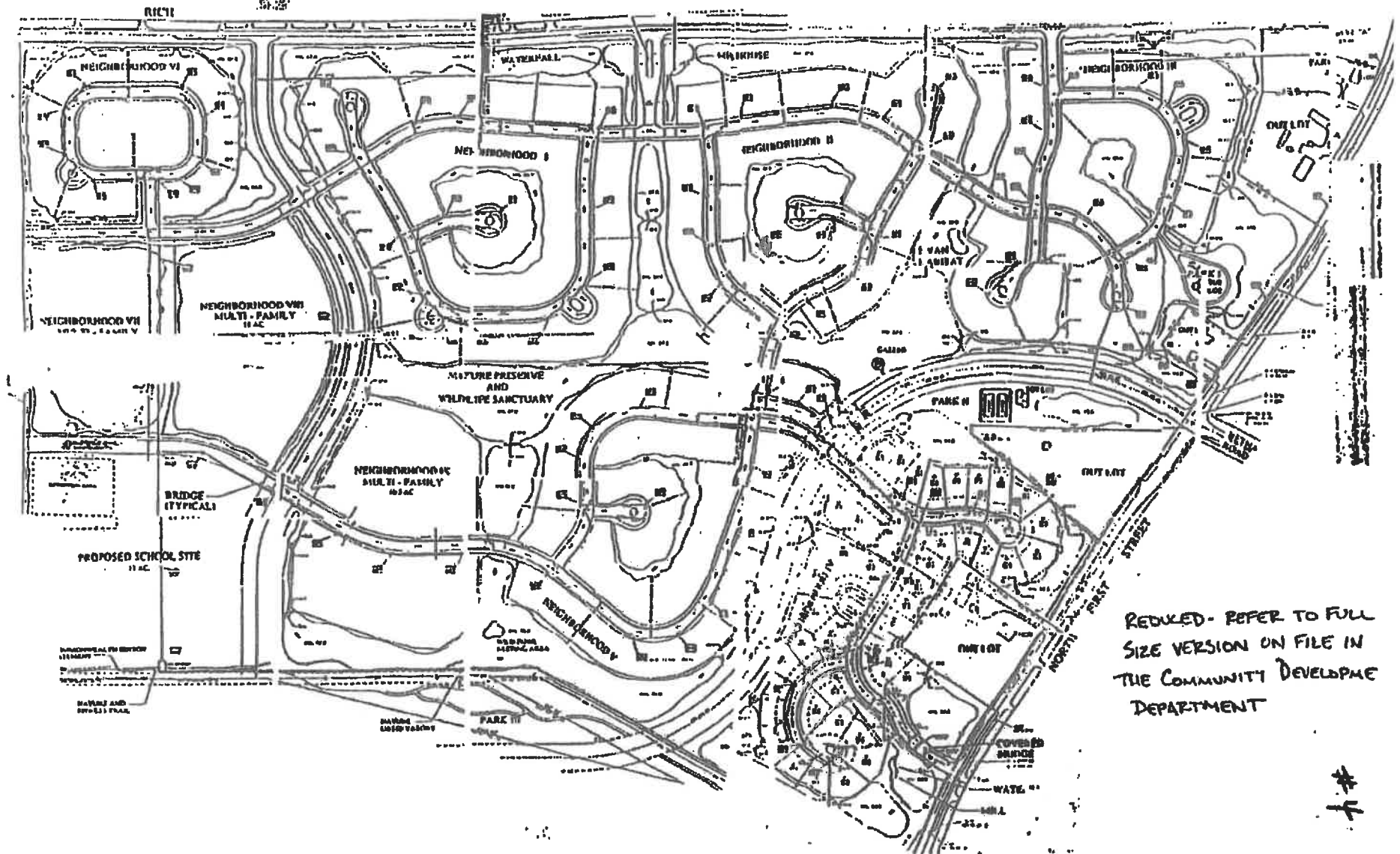
TRACT FIVE:

ALL CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RAILROAD COMPANY'S ABANDONED RIGHT OF WAY AND EXTRA WIDTH RIGHT OF WAY, CULVERTS, AND FENCING LYING IN, OVER AND ACROSS:  
THE EASTERLY 1/3 OF THE EASTERLY 1/2 OF SOUTHEAST 1/4 OF SECTION 3,  
TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN,  
SITUATED IN DEKALB COUNTY, ILLINOIS.

96008451



**EXHIBIT "B"**



**ORDINANCE 97-37**

**PASSED: May 27, 1997**

**APPROVING THE PRELIMINARY PLAT OF THE BRIDGES  
OF RIVERMIST PUD SUBDIVISION.**

**WHEREAS**, DeKalb Associates, owner of property, have submitted a preliminary plat of The Bridges of Rivermist PUD Subdivision for approval; and

**WHEREAS**, the preliminary plat of development has been reviewed by the DeKalb Plan Commission and received its approval on April 30, 1997, by a vote of 5-0, indicating that the plat complies with the Unified Development Ordinance for a preliminary plat and the proposed development is in conformance with the Development Plan Map and is compatible with adjacent land uses; now

**BE IT ORDAINED BY THE CITY COUNCIL** of the City of DeKalb, Illinois as follows:

**Section 1.** That the preliminary plat for The Bridges of Rivermist PUD Subdivision attached hereto as Exhibit "A" be approved subject to the following conditions:

1. That the concerns outlined in Engineering Memorandum 97-E024 are addressed prior to any future final plat or plan submittals.
2. That a performance bond be submitted prior to the issuance of a mass grading permit in an amount mutually acceptable to the developer and the City Engineer that is sufficient to cover the costs associated with erosion control for the site.
3. That the concerns regarding the Preliminary Plat and Plan found in the attached Water Division Memorandum dated March 27, 1997, be addressed prior to any future submittals.

**Section 2.** That except for the amendments made above, all provisions of the Unified Development Ordinance shall remain in full force and effect, and this Ordinance shall take effect upon its passage according to law.

**PASSED BY THE CITY COUNCIL** of the City of DeKalb, Illinois, at a regular meeting held on the 27<sup>th</sup> day of May, 1997, and approved by me as Mayor on the same day. First reading May 12, 1997. Second reading on May 27, 1997. Roll call vote 7-0. Aye: Polzin, Povlsen, Kapitan, Checa, Conboy, Raffel, Gregory.

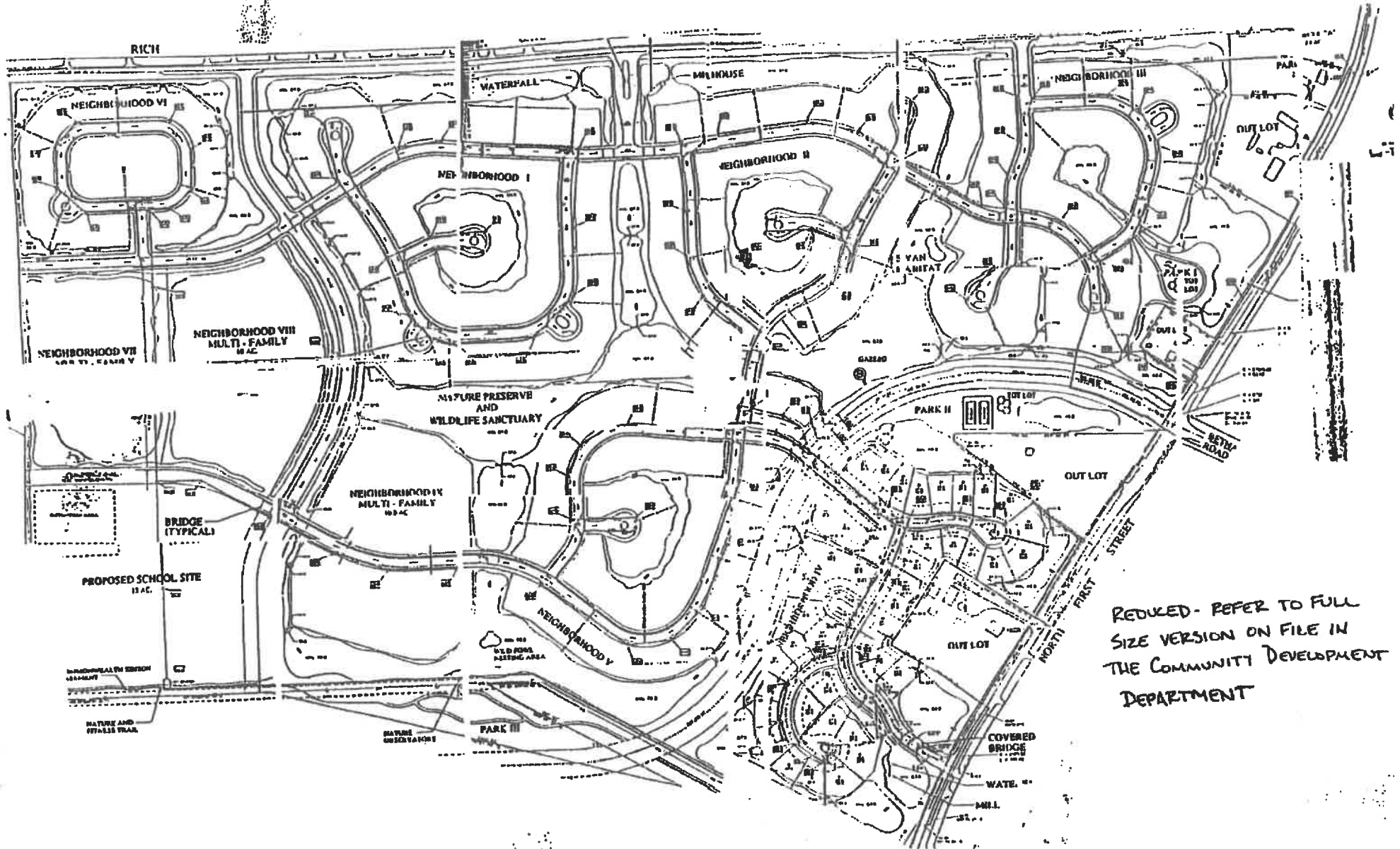
ATTEST:

  
DONNA S. JOHNSON, City Clerk

  
BESSIE CHRONOPOULOS, Mayor



# EXHIBIT "A"





2024002434

**TASHA SIMS**

**RECORDER - DEKALB COUNTY, IL**

**RECORDED: 4/12/2024 01:51 PM**

**REC FEE: 75.00**

**PAGES: 19**

STATE OF ILLINOIS )  
COUNTY OF DEKALB ) SS  
CITY OF DEKALB )

**CERTIFICATION**

I, **RUTH A. SCOTT**, am the duly qualified and appointed Executive Assistant of the City of DeKalb, DeKalb County, Illinois, as authorized by Local Ordinance 2019-059, and as such Executive Assistant, I maintain and am safe-keeper of the records and files of the Mayor and City Council of said City.

I do hereby certify that the attached hereto is a true and correct copy of:

**ORDINANCE 2024-018**

**APPROVING AN AMENDMENT TO ORDINANCE 1997-036 AND  
ORDINANCE 1997-037 TO ALLOW A 55 PLUS RESIDENTIAL  
COMMUNITY FOR THE VILLAS A BRIDGES OF RIVERMIST, DEKALB,  
ILLINOIS (RIVERMIST BY GRAINGER LLC).**

**PASSED BY THE CITY COUNCIL** of the City of DeKalb, Illinois, on the 11<sup>th</sup> day of March 2024.

**WITNESS** my hand and the official seal of said City this 12<sup>th</sup> day of April 2024.



**RUTH A. SCOTT**, Executive Assistant/Recording Secretary

**Prepared by and Return to:**

City of DeKalb  
City Manager's Office  
Attention: Ruth A. Scott  
164 E. Lincoln Highway  
DeKalb, Illinois 60115

POOR ORIGINAL OR CONTAINS COLORED INK  
RECORDER NOT RESPONSIBLE  
FOR REPRODUCTION