

**APPROVING THE ANNEXATION OF CERTAIN PROPERTY LOCATED AT THE NORTHEAST CORNER OF PEACE ROAD AND FAIRVIEW DRIVE, DEKALB, ILLINOIS, TO THE CITY OF DEKALB (PROJECT MIDWEST – MOHR ACQUISITIONS 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**, Mohr Acquisitions, LLC, a Texas limited liability company (the “Applicant”) is the contingent-contract purchaser of property that is owned by 3M Company, formerly known as Minnesota Mining & Manufacturing Company, a Delaware company (the “Owner”), and which is legally described in the attached and incorporated Exhibit A (the “Property”) and the Plat of Annexation attached and incorporated Exhibit B (the “Plat of Annexation”); and

**WHEREAS**, pursuant to 65 ILCS 5/11-15.1-1, et seq., the City, the Applicant, and the Owner negotiated an Annexation and Development Agreement (the “Agreement”) to: (1) annex the Property into the City’s corporate limits; and (2) rezone the Property to Planned Development – Industrial District to permit an approximately 1,322,800 square foot building for use as a logistics, distribution, and warehouse facility; and

**WHEREAS**, the Property is approximately 147.11 acres in size, located in unincorporated DeKalb County, and contiguous to the City’s corporate limits; and

**WHEREAS**, pursuant to 65 ILCS 5/7-1-8, the Applicant filed with the City a written petition to annex the Property into the City’s corporate limits that was signed under oath by Owner and stated that there were no electors which resided on the Property (the “Petition”); and

**WHEREAS**, the Property is not part of any public library district, and therefore, there is no need to provide written notice of the City’s action to annex the Property to any public library district; and

**WHEREAS**, on October 9, 2024, the City gave due notice in writing of the City’s action to annex the Property to the Board of Trustees of the DeKalb Fire Protection District as further described in the Affidavit of Service of Notice attached and incorporated as Exhibit C (the “Affidavit of Service of Notice”); and

**WHEREAS**, on October 14, 2024, the City gave due notice in writing of the City’s action to annex the Property to the Board of Trustees of DeKalb Township, the DeKalb Township Supervisor, the DeKalb Township Highway Commissioner, the DeKalb Township Clerk, the Board of Trustees of Cortland Township, the Cortland Township Supervisor, the Cortland Township Highway Commissioner, the Cortland Township Clerk, as further described in the Affidavit of Service of Notice; and

**WHEREAS**, on October 21, 2024, upon due notice as provided by law, the City’s Planning and Zoning Commission held a public hearing on the rezoning of the Property, made findings of fact, and recommended approving the rezoning of the Property; and

**WHEREAS**, on October 28, 2024, upon due notice as provided by law, the City’s corporate authorities held a public hearing on the Agreement before considering this ordinance; and

**WHEREAS**, on October 28, 2024, upon due notice as provided by law, the City’s corporate authorities held a public hearing on the Agreement before considering this ordinance; and

**WHEREAS**, on October 28, 2024, the City's corporate authorities adopted an ordinance approving the Agreement before considering this ordinance; and

**WHEREAS**, the City's corporate authorities find that annexing the Property into the City 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 CITY COUNCIL OF THE CITY OF DEKALB, ILLINOIS:**

**SECTION 1:** The recitals to this Ordinance are true, material, adopted and incorporated as Section 1 to this Ordinance.

**SECTION 2:** The City's corporate authorities, by a majority vote of those then holding office, grant the Petition, approve the annexation of the Property and all adjacent highways into the City, and approve the Plat of Annexation. The City's corporate authorities further authorize and direct the recordable sized mylar of the Plat of Annexation be executed by the Mayor and attested to by the Executive Assistant.

**SECTION 3:** The City's corporate authorities authorize and direct the City Manager or designee to: (1) file this Ordinance, the Plat of Annexation, and the Affidavit of Service of Notice for recording with the DeKalb County Clerk and Recorder; (2) give notice by certified mail, return receipt requested, to all post office branches serving the Property and all election authorities having jurisdiction over the Property within thirty (30) days of the passage of this Ordinance; and (3) give notice, by certified mail, return receipt requested, of this annexation to the Illinois Department of Revenue, pursuant to 30 ILCS 115/2(b), within 30 days after the annexation.

**SECTION 4:** 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 that to the extent this Ordinance is inconsistent with any non-preemptive state law, this Ordinance shall supersede state law in that regard within its jurisdiction.

**SECTION 5:** This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

**PASSED BY THE CITY COUNCIL** of the City of DeKalb, Illinois at a Regular meeting thereof held on the 28<sup>th</sup> day of October 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, Powell, Verbic, Walker, Barnes. Nay: None. Second Reading waived by an 8-0 roll call vote. Aye: Zasada, Larson, Smith, Perkins, Powell, Verbic, Walker, Barnes. Nay: None.



  
COHEN BARNES, Mayor

ATTEST:



Ruth A. Scott, Executive Assistant

**EXHIBIT A**  
**(Legal Description of the Property)**

The Property is legally described as follows:

Part of the Southeast Quarter (SE1/4) of Section Twenty-five (25) and the Northeast Quarter (NE1/4) of Section Thirty-six (36), Township Forty (40) North, Range Four (4) East of the Third (3rd) Principal Meridian, and part of the Southwest Quarter (SW1/4) of Section Thirty (30) and the Northwest Quarter (NW1/4) of Section Thirty-one (31), Township Forty (40) North, Range Five (5) East of the Third (3rd) Principal Meridian, DeKalb County, Illinois, described as follows:

Beginning at a point on the easterly right-of-way line of Webster Road, said point being 33.00 feet east from the northeast corner of said Southeast Quarter (SE1/4) of Section Twenty-five (25) along a projection of the north line of said Southeast Quarter (SE1/4); thence South 0 degrees 16 minutes 58 seconds West, along said easterly right-of-way line, a distance of 945.16 feet; thence North 89 degrees 43 minutes 46 seconds West, a distance of 407.81 feet to the northwest corner of an existing 1.5 acre tract; thence South 0 degrees 16 minutes 17 seconds West, a distance of 196.50 feet to the southwest corner of said 1.5 acre tract; thence South 89 degrees 44 minutes 09 seconds East, a distance of 407.77 feet to said easterly right-of-way line of Webster Road; thence South 0 degrees 16 minutes 22 seconds West, along said easterly right-of-way line, a distance of 1537.31 feet to a point on the southerly right-of-way line of Fairview Drive; thence South 89 degrees 49 minutes 21 seconds West, along said southerly right-of-way, a distance of 2,485.96 feet to a point on the easterly right-of-way line of Peace Road; thence North 0 degrees 16 minutes 42 seconds East, along said easterly right-of-way line of Peace Road, a distance of 2,696.50 feet to a point on the north line of said Southeast Quarter (SE1/4) of Section Twenty-five (25); thence South 89 degrees 46 minutes 21 seconds East, along said north line, a distance of 2,485.82 feet to the Point of Beginning, containing 151.538 acres, more or less.

Ordinance 2024-051

**EXHIBIT B**  
**(Plat of Annexation – Project Midwest)**



**EXHIBIT C**  
**(Affidavit of Notice of Service – Project Midwest)**

**EXHIBIT C**

**AFFIDAVIT OF SERVICE OF NOTICE OF INTENT TO ANNEX  
TO THE CITY OF DEKALB**

I, Dan Olson, attest that, as Planning Director of the City of DeKalb, I caused the attached notices of annexation to be served on the Board of Trustees of the DeKalb Fire Protection District, the Board of Trustees of DeKalb Township, the Supervisor of DeKalb Township, the Highway Commissioner of DeKalb Township, and the Clerk of DeKalb Township; the Board of Trustees of Cortland Township, the Supervisor of Cortland Township, the Highway Commissioner of Cortland Township, and the Clerk of Cortland Township; by mailing true and correct copies of the notice, by certified mail, to those individuals at the addresses set forth below their names on the 9<sup>th</sup> day of October, 2024, at 3:00 p.m. for the DeKalb Fire Protection District and on the 14<sup>th</sup> day of October, 2024, at 3:00 p.m. for DeKalb Township and Cortland Township by depositing the copies in the United States Mail at 164 E. Lincoln Highway, DeKalb, Illinois, certified, postage prepaid.

I, Dan Olson, further attest that, as Planning Director of the City of DeKalb, I caused this Affidavit of Service of Notice of Intent to Annex to the City of DeKalb to be filed and recorded with the Recorder of Deeds of DeKalb County, Illinois.

**CERTIFICATION**

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

  
\_\_\_\_\_  
Dan Olson, Planning Director, City of DeKalb



2024009074

**TASHA SIMS**

**RECORDER - DEKALB COUNTY, IL**

**RECORDED: 12/9/2024 08:47 AM**

**REC FEE: 55.00**

**PAGES: 9**

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

**CERTIFICATION**

*"KEEP IN FILE"  
Plat Cabinet 11  
Slide # 85-B*

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 2024-051**

**APPROVING THE ANNEXATION OF CERTAIN PROPERTY LOCATED AT THE  
NORTHEAST CORNER OF PEACE ROAD AND FAIRVIEW DRIVE TO THE CITY  
OF DEKALB (PROJECT MIDWEST – MOHR ACQUISITIONS LLC).**

**PASSED BY THE CITY COUNCIL** of the City of DeKalb, Illinois, on the 28<sup>th</sup> day of October 2024.

**WITNESS** my hand and the official seal of said City this 6<sup>th</sup> day of December 2024.

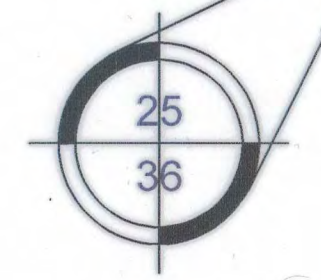


  
\_\_\_\_\_  
**RUTH A. SCOTT**, Executive Assistant/Recording Secretary

**Prepared by:**

City of DeKalb  
164 E. Lincoln Highway  
DeKalb, Illinois 60115





S89°46'21"E PK 2485.82'

NORTH LINE  
SECTION 25

S0°16'58"W 945.16'

N89°43'46"W  
407.81'

S0°16'17"W  
196.50'

S89°44'09"E  
407.77'

EASTERLY R.O.W.  
WEBSTER ROAD

EAST LINE  
SECTION 25

S0°16'22"W 1537.31'

N0°16'42"E 2696.50'

PEACE ROAD

EASTERLY R.O.W.  
PEACE ROAD

SOUTHERLY R.O.W.  
FAIRVIEW DRIVE

FAIRVIEW

S89°49'21"W 2485.96'

DRIVE

SOUTH LINE  
SECTION 25

TOTAL AREA  
151.538 ACRES

2024009074

11/85-B

## PLAT OF ANNEXATION

OF PROPERTY DESCRIBED AS: Part of the Southeast Quarter (SE1/4) of Section Twenty-five (25) and the Northeast Quarter (NE1/4) of Section Thirty-six (36), Township Forty (40) North, Range Four (4) East of the Third (3rd) Principal Meridian, and part of the Southwest Quarter (SW1/4) of Section Thirty (30) and the Northwest Quarter (NW1/4) of Section Thirty-one (31), Township Forty (40) North, Range Five (5) East of the Third (3rd) Principal Meridian, DeKalb County, Illinois, described as follows:

Beginning at a point on the easterly right-of-way line of Webster Road, said point being 33.00 feet east from the northeast corner of said Southeast Quarter (SE1/4) of Section Twenty-five (25) along a projection of the north line of said Southeast Quarter (SE1/4); thence South 0 degrees 16 minutes 58 seconds West, along said easterly right-of-way line, a distance of 945.16 feet; thence North 89 degrees 43 minutes 46 seconds West, a distance of 407.81 feet to the northwest corner of an existing 1.5 acre tract; thence South 0 degrees 16 minutes 17 seconds West, a distance of 196.50 feet to the southwest corner of said 1.5 acre tract; thence South 89 degrees 44 minutes 09 seconds East, a distance of 407.77 feet to said easterly right-of-way line of Webster Road; thence South 0 degrees 16 minutes 22 seconds West, along said easterly right-of-way line, a distance of 1537.31 feet to a point on the southerly right-of-way line of Fairview Drive; thence South 89 degrees 49 minutes 21 seconds West, along said southerly right-of-way, a distance of 2,485.96 feet to a point on the easterly right-of-way line of Peace Road; thence North 0 degrees 16 minutes 42 seconds East, along said easterly right-of-way line of Peace Road, a distance of 2,696.50 feet to a point on the north line of said Southeast Quarter (SE1/4) of Section Twenty-five (25); thence South 89 degrees 46 minutes 21 seconds East, along said north line, a distance of 2,485.82 feet to the Point of Beginning, containing 151.538 acres, more or less.

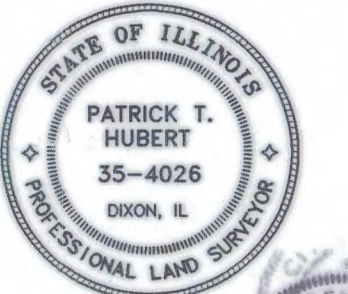
## SURVEYORS STATEMENT

This plat and the survey it represents was made under my direct supervision in accordance with the minimum standards of practice pertaining to boundary surveys in the State of Illinois; all monuments and markers exist as shown hereon; all dimensional and geodetic details are to the best of my knowledge correct as shown hereon. Dimensions are in feet and decimals of a foot unless otherwise specified. Bearings or angles are in degrees, minutes and seconds, unless otherwise specified. Bearings or angles, distances and areas shown hereon are based upon grid coordinates using the Illinois State Plane Coordinate System (East Zone-2012 adjustment). No warranty is made or implied as to the existence or location of any public or private easements that may affect the platted property unless shown hereon, and also no warranty is made or implied as to compliance with 765ILCS-205/1b of the Illinois Compiled Statutes. This Professional Service conforms with the Current Illinois Minimum Standards of Practice for Boundary Surveys.

Dated this 14 day of NOVEMBER, A.D., 2024. Dixon, Illinois.

Patrick T. Hubert  
ILLINOIS PROFESSIONAL LAND SURVEYOR  
NO. 35-4026

My license expires November 30, 2026.



## CERTIFICATE OF CITY COUNCIL

STATE OF ILLINOIS )  
COUNTY OF DEKALB )

This is to certify that this Accurate Map of Territory Annexed is identified as that incorporated into and made a part of the City of DeKalb. Ordinance No. 2024-051 adopted by the City Council of said City on the 28th day of October, 2024.

By: Cohen Barnes  
Cohen Barnes  
Mayor  
(PLEASE SIGN AND PRINT)

Attest: Ruth A. Scott  
Ruth A. Scott  
Executive Assistant  
(PLEASE SIGN AND PRINT)

PETITIONER: MOHR CAPITAL

BOUNDARY OF ANNEXATION

EXISTING CORPORATE LIMITS

## LEGEND

- BOUNDARY OF SURVEY
- ▲ MONUMENT FOUND
- SET SURVEY NAIL
- 5/8" STEEL PIN SET
- CHISELED "X"
- R.O.W. MARKER
- ▲ P.K. NAIL
- SECTION LINE
- RIGHT OF WAY LINE
- FENCE LINE
- BUILDING SETBACK (BSL)
- UTILITY EASEMENT (UE)
- (101.26°) RECORD DIMENSION
- (90°1'25") RECORD ANGLE
- (N89°12'22"E) RECORD BEARING



WILLETT HOFMANN  
& ASSOCIATES, INC.  
ENGINEERING ARCHITECTURE LAND SURVEYING  
Illinois Professional Design Firm No. 184-000918-0015

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ANNEXATION PLAT  
FOR  
MOHR CAPITAL

DATE: 9/20/2024  
JOB NO.: 1876224  
SURVEYED BY: MFC  
BOOK NO.:  
DRAWN BY: DJV  
DRAWING NAME: 1876224\_MohrCap  
REVISIONS: 11/14/2024