

ORDINANCE NUMBER 2010 - 12
AN ORDINANCE

APPROVING AN AMENDMENT TO THE PLANNED UNIT DEVELOPMENT
AGREEMENT, REVISED CONCEPT PLAN AND PRELIMINARY PLAT OF PLANNED
SUBDIVISION APPROVAL FOR
HENNEBERRY WOODS

WHEREAS, Moser Enterprises & Crestview Builders previously petitioned Kendall County for approval of a concept plan and preliminary plat for Henneberry Woods as required under the provisions of the RPD-2 (Residential Planned Development – Two) District ; and

WHEREAS, the prior petition requested variances from Sections 8.03.K and 8.04.C of the Kendall County Zoning Ordinance to allow for a ten (10) foot side yard setback; but in no instance shall a residence be constructed closer than twenty-five (25') feet to one another and to allow for several lots in the subdivision to exceed forty-five thousand (45,000) square feet in addition to several variances from Section 9.02.M of the Kendall County Subdivision Control Ordinance; and

WHEREAS, said prior petition did pertain to a tract of land approximately 594.39 acres in area, generally located at the southwest corner of Grove Road and Cherry Road (extended) in Sections 5, 6, 7 and 8 of Na-Au-Say Township; and

WHEREAS, on November 16, 2004 the Kendall County Board adopted ordinance 2004-36 approving said prior Concept Plan and Preliminary Plat of Planned Subdivision: and

WHEREAS, the County of Kendall and Henneberry West, LLC previously executed a Planned Unit Development Agreement for the Henneberry Woods Subdivision dated September 1, 2005 and recorded in Kendall County as document number 200500026497; and

WHEREAS, said Planned Unit Development Agreement was subsequently amended by the parties on January 15, 2008 and recorded in Kendall County as document number 200800002061 and;

WHEREAS, Henneberry Woods Inc., Henneberry West LLC and the Kendall County Forest Preserve District have entered into a Vacant Land Sales Contract dated April 15, 2010 whereby ±216 acres of said 594.39 acres would be sold to the Kendall County Forest Preserve District; and

WHEREAS, Henneberry Woods Inc. and Henneberry West LLC (hereinafter the “petitioners”) have filed a petition to amend the previously approved Concept Plan and Preliminary Plat of Planned Subdivision and Planned Unit Development Agreement to provide for the orderly development of the remaining balance of the property which consists of approximately 377.67 acres in area, generally located at the southwest corner of Grove Road and Cherry Road (extended) in Sections 5, 6, 7 and 8 of Na-Au-Say Township; and

WHEREAS, said property is legally described in Exhibit "A"; and

WHEREAS, the petitioners have proposed to develop the property as a Residential Planned Development and is required to submit a concept plan and preliminary plat demonstrating how the proposed development accomplishes the goals of the RPD-2 zoning district; and

WHEREAS, all procedures required by Sections 8.04 (Residential Districts- RPD-2) and 8.06 (Residential District- procedure for approval of RPD-1, RPD-2 or RPD-3 Development) of the Kendall County Zoning Ordinance and the requirements of the Kendall County Subdivision Control Ordinance were followed; and

WHEREAS, the petitioners have requested retention of the previously approved variances as referenced in Kendall County Ordinance 2004-36 and requested an additional variance from Section 9.02M of the Kendall County Subdivision Control Ordinance to allow a second cul-de sac to exceed 1,000 linear feet in length; and

WHEREAS, the Kendall County Zoning Board of Appeals, after due notice to adjacent property owners and publication in the Kendall County Record, a newspaper of general circulation in Kendall County, conducted a public hearing on May 5, 2010 on the requested variances from the official controls of the Kendall County Zoning Ordinance; and

WHEREAS, the Kendall County Zoning Board of Appeals voted on May 5, 2010 to re-approve the requested variances from the official controls of the Kendall County Zoning Ordinance as enumerated in the original Planned Unit Development Agreement dated September 1, 2005 and recorded in Kendall County as document number 200500026497; and

WHEREAS, the Planning, Building, and Zoning subcommittee of the Kendall County Board met on May 10, 2010 to consider the recommendation of the ZBA to retain the original zoning and subdivision variances as well as approve the additional variance from Section 9.02.M of the Kendall County Subdivision Control Ordinance to allow a second cul-de-sac to exceed 1,000 linear feet in length and voted 4-1 to approve said requested variances; and

WHEREAS, the Planning, Building and Zoning Committee determined that the Concept Plan and Preliminary Plat did meet the intent and requirements of the RPD Zoning District and recommended approval of the concept plan and preliminary plat to the County Board; and

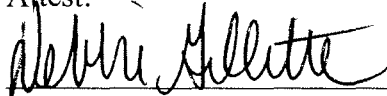
WHEREAS, the developer intends to develop the property in substantial conformance with the concept plan, preliminary plan and plat attached and made a part hereof as Exhibit "B" the preliminary landscape plan attached hereto and made a part hereof as Exhibit "C" the Stormwater Basin Concepts plan attached hereto and made a part hereof as Exhibit "D", the preliminary plat review comments from the Kendall County Health Department made a part hereof as Exhibit "E", and the Second Amendment to Planned Unit Development Agreement attached hereto and made a part hereof as Exhibit "F"

NOW, THEREFORE, BE IT ORDAINED, by the Kendall County Board as follows:

- 1) The above recitals are incorporated by reference as if fully set forth herein;
- 2) The petitioners' request for variance from Section 9.02M of the Kendall County Subdivision Control Ordinance allowing a second cul-de sac to exceed 1,000 linear feet in length is approved;
- 3) The petitioners' revised preliminary plan and plat of subdivision for the tract of land entitled "Henneberry Woods" and attached hereto as Exhibit B is approved.
- 4) The Second Amendment to the Planned Unit Development Agreement attached hereto as Exhibit F is approved.

IN WITNESS OF, this ordinance has been enacted on June 1, 2010.

Attest:



Kendall County Clerk
Debbie Gillette



Anne Vickery
Kendall County Board Chairman

EXHIBIT A

LEGAL DESCRIPTION FOR HENNEBERRY WOODS SUBDIVISION

PARCEL ONE

THAT PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 4 AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE SAID NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 4, AND RUNNING THENCE NORTH 89 DEGREES 3.5 MINUTES 41 SECONDS EAST, ALONG THE NORTH LINE OF THE AFORESAID SOUTHWEST QUARTER OF SECTION 4 A DISTANCE OF 11115.22 FEET; THENCE SOUTH 44 DEGREES 44 MINUTES 19 SECONDS EAST, 40.00 FEET, TO A POINT ON CURVE; THENCE SOUTHWESTERLY ALONG A NON-TANGENT CURVE WHOSE CENTER LIES SOUTHERLY AND HAS A RADIUS OF 710.00 FEET, A DISTANCE OF 363.76 FEET, ARC, (CHORD BEARING SOUTH 74 DEGREES 35 MINUTES 02 SECONDS WEST, 359.80 FEET CHORD) TO A POINT OF TANGENCY; THENCE SOUTH 59 DEGREES 54 MINUTES 23 SECONDS WEST, 200.00 FEET, TO A POINT OF CURVE; THENCE SOUTHWESTERLY ALONG A CURVE WHOSE CENTER LIES NORTHERLY AND HAS A RADIUS OF 790.00 FEET, A DISTANCE OF 414.27 FEET, ARC, (CHORD BEARING SOUTH 74 DEGREES 55 MINUTES 45 SECONDS WEST, 409.54 FEET CHORD), TO A POINT OF TANGENCY; THENCE SOUTH 85 DEGREES 57 MINUTES 08 SECONDS WEST, 200.01 FEET, TO A POINT ON THE CENTERLINE OF GROVE ROAD; THENCE NORTH 60 DEGREES 02 MINUTES 52 SECONDS WEST ALONG SAID CENTERLINE, 32820 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA-AU-SAT, KENDALL COUNTY, ILLINOIS.

PARCEL TWO:

THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF THE CENTER LINE OF GROVE ROAD, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS. EXCEPTION: THAT PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN. DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHEAST CORNER OF THE WAISH-KESHEM RESERVATION; THENCE NORTHERLY ALONG THE EAST LINE OF THE WAISH-KEE-SHAW RESERVATION 1737.98 FEET TO ITS POINT OF INTERSECTION WITH THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5, FOR A POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID EAST LINE 111.84 FEET TO AN EXISTING FENCE, THENCE EASTERLY ALONG SAID EXISTING FENCE LINE, WHICH FORMS AN ANGLE OF 89 DEGREES 36 MINUTES 07 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE, THEREFROM. 2324.21 FEET TO THE CENTERLINE OF GROVE ROAD; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE 51.80 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5; THENCE WESTERLY ALONG SAID NORTH LINE 2296.96 FEET TO THE POINT OF BEGINNING, IN NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS

PARCEL THREE:

THAT PART OF THE WAISH-KEE-SHAW RESERVATION IN SECTIONS 5, 6, 7, AND 8 TOWNSHIP 36 NORTH RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHEAST CORNER OF SAID RESERVATION; THENCE NORTH ALONG THE EAST LINE THEREOF 0.38 CHAINS TO THE NORTH LINE OF THE SOUTH HALF OF SAID RESERVATION; THENCE WEST ALONG SAID NORTH LINE 87.98 CHAINS TO A POINT 10 CHAINS EAST OF THE WEST LINE OF SAID RESERVATION; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID RESERVATION 18.653 CHAINS; THENCE WEST PARALLEL WITH THE NORTH LINE OF THE SOUTH HALF OF SAID RESERVATION 10 CHAINS, THENCE SOUTH ALONG SAID WEST LINE 23.901 CHAINS; THENCE EAST PARALLEL WITH THE NORTH LINE OF THE SOUTH HALF OF SAID RESERVATION 31.497 CHAINS; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID

RESERVATION 5.33 CHAINS TO THE SOUTH LINE OF SAID RESERVATION; THENCE EAST ALONG THE SOUTH LINE OF SAID RESERVATION TO THE POINT OF BEGINNING; IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS.

PARCEL FOUR:

LOTS 1, 2, 3, 12, 13, AND 14 IN TOWNSENOS SUBDIVISION OF THE NORTH HALF OF FRACTIONAL SECTION 7, TOWNSHIP 36 NORTH, RANGE 3 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS.

EXCEPT THAT PART OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 26 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4; THENCE SOUTH 0 DEGREES 02 MINUTES 52 SECONDS EAST ALONG THE CENTER LINE OF GROVE ROAD, 819.74 FEET TO A POINT OF CURVE; THENCE SOUTHWESTERLY ALONG SAID CENTER LINE ON A CURVE WHOSE CENTER LIES WESTERLY AND HAS A RADIUS OF 881.50 FEET, ARC 467.04 FEET (CHORD BEARING SOUTH 15 DEGREES 08 MINUTES 51 SECONDS WEST 461.60 FEET, CHORD); THENCE SOUTH 89 DEGREES 51 MINUTES 52 SECONDS WEST 2323.44 FEET TO THE EAST LINE OF THE WAA-KEE-SHA RESERVATION; THENCE SOUTH 89 DEGREES 29 MINUTES 01 SECONDS WEST 255.00 FEET; THENCE NORTH 0 DEGREES 30 MINUTES 59 SECONDS WEST 218.30 FEET TO A POINT ON A CURVE; THENCE NORTHEASTERLY ALONG A NON-TANGENT CURVE, WHOSE CENTER LIES NORTHERLY AND HAS A RADIUS OF 1285.00 FEET, ARC 522.13 FEET (CHORD BEARING NORTH 71 DEGREES 04 MINUTES 33. SECONDS EAST 518.55 FEET, CHORD) TO A POINT OF TANGENCY THENCE NORTH 59 DEGREES 26 MINUTES 06 SECONDS EAST 341.97 FEET; THENCE NORTH 30 DEGREES 33 MINUTES 54 SECONDS WEST 399.99 FEET; THENCE NORTH 0 DEGREES 22 MINUTES 03 SECONDS WEST 222.10 FEET TO THE NORTH LINE OF SAID SOUTHEAST 1/4 OF SECTION 5; THENCE NORTH 89 DEGREES 37 MINUTES 57 SECONDS EAST ALONG SAID NORTH LINE 2032.32 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS

**EXCEPT THE FOLLOWING DESCRIBED REAL PROPERTY BEING CONVEYED
TO THE KENDALL COUNTY FOREST PRESERVE**

THAT PART OF SECTION 6, WHICH INCLUDES PART OF HENNEBERRY WOODS UNIT 4, IN TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 5, SAID SECTION CORNER ALSO BEING THE NORTHEAST CORNER OF HENNEBERRY WOODS UNIT 1, AND RUNNING THENCE SOUTH 89 DEGREES 37 MINUTES 57 SECONDS WEST, ALONG THE NORTH LINE OF SAID UNIT 1 A DISTANCE OF 245471 FEET, TO THE EAST LINE OF THE WAA-KEE-SHA RESERVATION, SAID LINE ALSO BEING THE NORTHEAST LINE OF HENNEBERRY WOODS UNIT 2; THENCE NORTH 0 DEGREES 30 MINUTES 59 SECONDS WEST, 116.02 FEET, ALONG SAID NORTHEAST LINE OF THE NORTH LINE OF THE SOUTH HALF OF THE WAA-KEE-SHA RESERVATION, SAID LINE ALSO BEING THE NORTH LINE OF HENNEBERRY WOODS UNIT 2; THENCE SOUTH 89 DEGREES 51 MINUTES 06 SECONDS WEST, 1899.24 FEET, TO THE NORTHWEST CORNER OF AFORESAID UNIT 2; THENCE CONTINUING ALONG THE AFORESAID NORTH LINE OF THE SOUTH HALF OF RESERVATION, SOUTH 89 DEGREES 51 MINUTES 06 SECONDS WEST, 947.08 FEET, TO THE POINT OF BEGINNING; THENCE SOUTH 01 DEGREES 42 MINUTES 43 SECONDS EAST, 2805.28 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 06 SECONDS WEST, ALONG A LINE THAT IS PARALLEL WITH THE NORTH LINE OF THE SOUTH HALF OF AFORESAID RESERVATION, 3692.70 FEET; THENCE NORTH 0 DEGREES 12 MINUTES 50 SECONDS WEST, 1577.86 FEET; THENCE NORTH 89 DEGREES 51 MINUTES 06 SECONDS EAST, ALONG A LINE 18.653 CHAINS SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTH HALF OF THE WAA-KEE-SHA RESERVATION, 660.00 FEET, THENCE NORTH 0 DEGREES 12 MINUTES 50

SECONDS WEST, ALONG A LINE 10 CHAINS EAST OF AND PARALLEL WITH THE WEST LINE OF THE WAA-KEE-SHA RESERVATION, 1226.37 FEET; THENCE NORTH 89 DEGREES 51 MINUTES 06 SECONDS EAST, ALONG THE NORTH LINE OF THE SOUTH HALF OF THE WAA-KEE-SHA RESERVATION, 2959.37 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, EXCEPTING THEREFROM ANY PART OF LOTS 42 THRU 56, BOTH INCLUSIVE, & OUTLOT E IN WHITETAIL RIDGE, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 9, 2005 AS DOCUMENT 2005015985, AND EXCEPTING THEREFROM ANY PART OF LOTS 151 AND 158 IN HENNEBERRY WOODS UNIT 4, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 18, 2007 AS DOCUMENT 2007036143, ALL IN KENDALL COUNTY, ILLINOIS.

HENNEBERRY WOODS

KENDALL COUNTY

PRELIMINARY PLAN AND PLAT

PREPARED FOR:

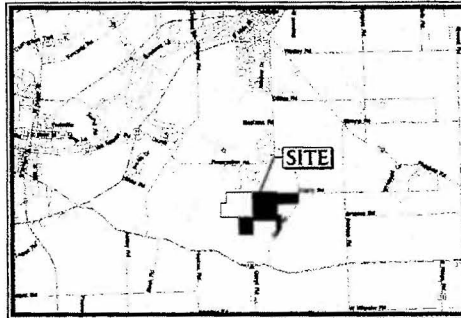


Moser Enterprises, Inc.
401 S. Main St.
Suite 300
Naperville, Illinois 60540
Phone: 1-630-420-3000



4431 White Ash Lane
Naperville, Illinois 60564

LOCATION MAP



SHEET INDEX

- 1 Cover Sheet, Legal Description
- 2 Existing Conditions Sheet
- 3 Sections, Lot Detail, Lot Size Charts
- 4 Overall Site Plan
- 5 Preliminary Plan & Plat
- 6 Preliminary Plan & Plat
- 7 Preliminary Plan & Plat
- 8 Preliminary Plan & Plat
- 9 Preliminary Plan & Plat

GENERAL NOTES

1. Boundary and topographic information obtained from plans prepared by Intech Consultants, Inc., please titled Plat of Survey - Schlapp Parcel & plat of Survey - Henneberry Parcel (west of Grove Road), both dated 10-16-2002.

EXHIBIT B

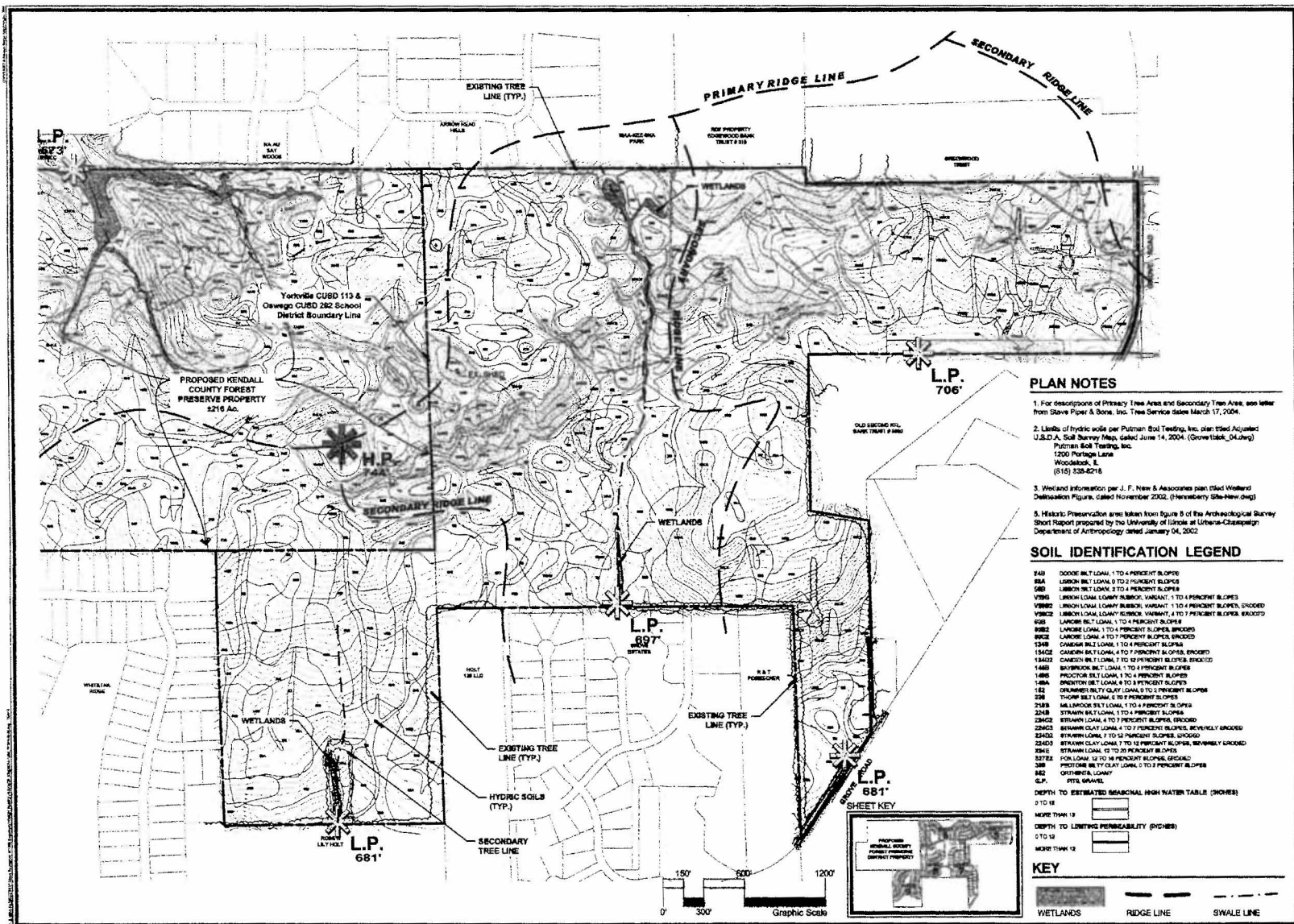
PREPARED BY:



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REV.	DATE	SHEET NUMBER	PURPOSE
0	2010-03-12	ALL	ISSUED FOR KENDALL COUNTY RVW.
1	2010-04-16	ALL	REVISED PER KENDALL CTY. CMNTS.
2	2010-04-28	3, 4, 6, 7 & 8	REVISED PER ENGINEERING CMNTS.
3	2010-08-12	3, 4 & 9	REVISED PER COUNTY COMMENTS
4	2010-08-26	ALL	REVISED PER COUNTY COMMENTS
5	2010-09-27	4, 6 & 8	ADDED FENCE ON LOT 14
6	2010-09-28	ALL	REVISED PER COUNTY COMMENT
7			
8			



PLAN NOTES

1. For descriptions of Primary Tree Area and Secondary Tree Area, see letter from Steve Piper & Sons, Inc. Tree Service dated March 17, 2004.
2. Limits of hydric soils per Putman Soil Testing, Inc. plan filed August 14, 2004. (Grovebank, IL) Putman Soil Testing, Inc. 1200 Portage Lane Woodstock, IL (616) 535-6218
3. Wetland information per J. F. New & Associates plan filed Wetland Delineation Figure, dated November 2002. (Hennepin, IL) New & Associates
4. Historic Preservation area taken from Figure 5 of the Archaeological Survey Report prepared by the University of Illinois at Urbana-Champaign Department of Anthropology dated January 04, 2002.

SOIL IDENTIFICATION LEGEND

240	DOODLE BILT LOAM, 1 TO 4 PERCENT SLOPES
85A	LEHIGH BILT LOAM, 0 TO 2 PERCENT SLOPES
580	LEHIGH BILT LOAM, 2 TO 4 PERCENT SLOPES
1590	LEHIGH LOAM, LOAMY SUBSOIL, VARIANT, 1 TO 4 PERCENT SLOPES
1590C	LEHIGH LOAM, LOAMY SUBSOIL, VARIANT, 1 TO 4 PERCENT SLOPES, ERODED
1590C2	LEHIGH LOAM, LOAMY SUBSOIL, VARIANT, 1 TO 4 PERCENT SLOPES, ERODED
600	LEHIGH BILT LOAM, 1 TO 4 PERCENT SLOPES
600C	LEHIGH LOAM, 1 TO 4 PERCENT SLOPES, ERODED
600C2	LEHIGH LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1340	CANOE BILT LOAM, 1 TO 4 PERCENT SLOPES
1340C	CANOE BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1340C2	CANOE BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES
1400C	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C2	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C3	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C4	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C5	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C6	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C7	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C8	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C9	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C10	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C11	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C12	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C13	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C14	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C15	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C16	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C17	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C18	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
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1400C20	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C21	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C22	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C23	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C24	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C25	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C26	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C27	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C28	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C29	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C30	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C31	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C32	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C33	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C34	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C35	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C36	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C37	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C38	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C39	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C40	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C41	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C42	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C43	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C44	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C45	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C46	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C47	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C48	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C49	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C50	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C51	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C52	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C53	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C54	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C55	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C56	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C57	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C58	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C59	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C60	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C61	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C62	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C63	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C64	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C65	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C66	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C67	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C68	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C69	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C70	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C71	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C72	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C73	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C74	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C75	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C76	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C77	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C78	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C79	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C80	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C81	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C82	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C83	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C84	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C85	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C86	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C87	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C88	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C89	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C90	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C91	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C92	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C93	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C94	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C95	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C96	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C97	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C98	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C99	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED
1400C100	BOYD BILT LOAM, 1 TO 4 PERCENT SLOPES, ERODED

DEPTH TO ESTIMATED MECHANICAL HIGH WATER TABLE (INCHES)

DEPTH TO LIMITING PERMEABILITY (INCHES)

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DEPTH TO LIMITING PERMEABILITY (INCHES)

U.S. Army Corps of Engineers
District Office
441 S. Main St.
Naperville, IL 60563
Phone: 630-208-3000
Fax: 630-208-3001
www.usace.army.mil

Maple Enterprises, Inc.
441 S. Main St.
Naperville, IL 60563
Phone: 630-208-3000
Fax: 630-208-3001
www.mapleenterprises.com

HENNEBERRY WOODS
GENERAL COUNTY
EXISTING CONDITIONS

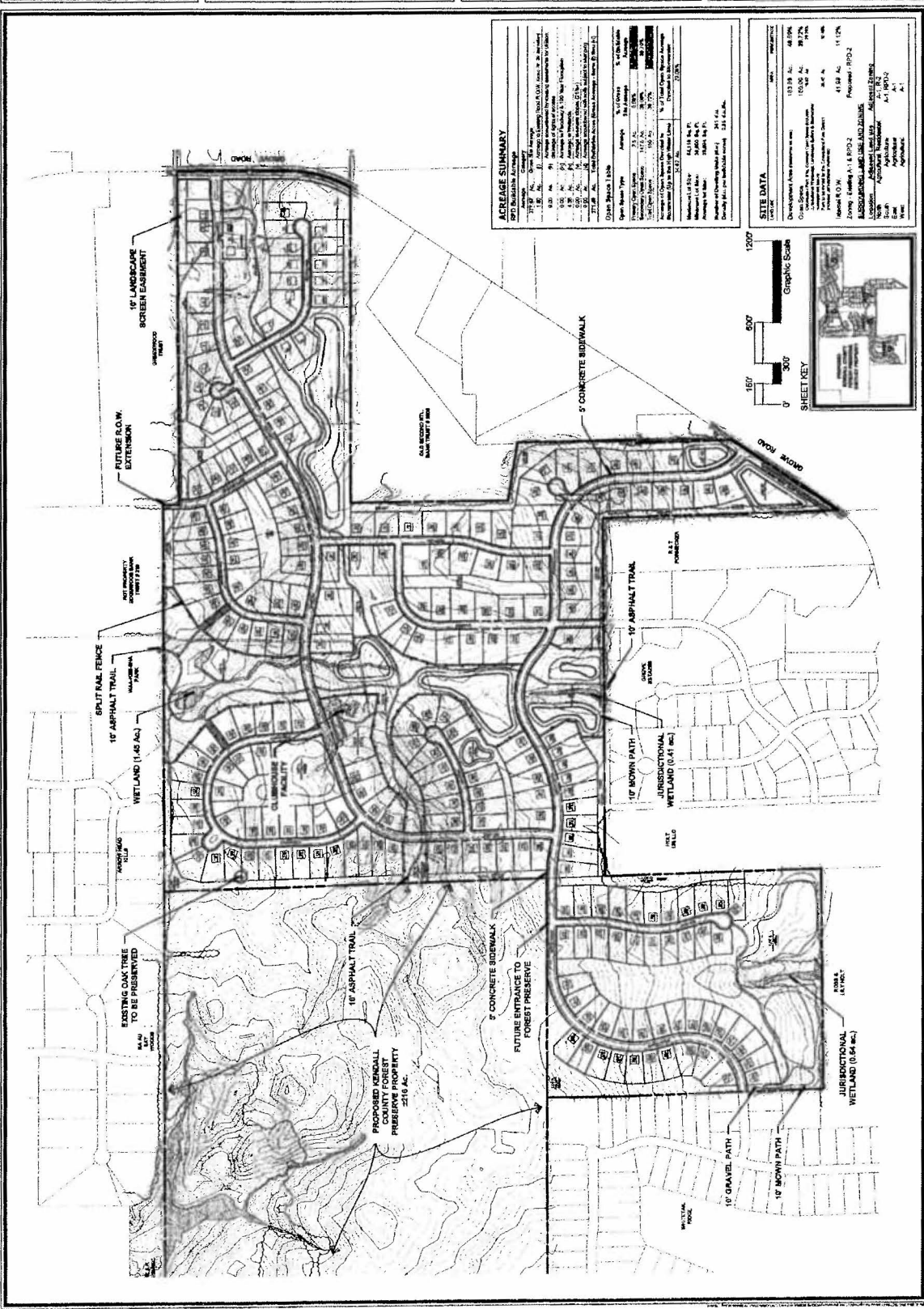
2 of 9



HENNEBERRY WOODS
KENDALL COUNTY
OVERALL SITE PLAN

Mooser Enterprises, Inc.
4431 White Ash Lane
Naperville, Illinois 60556
Phone 1-800-231-3000

Schoppe Design Associates, Inc.
Landscape Planning & Landscape Architecture
150 E. North Street
Chicago, IL 60601
N. 560 518-3363
T. 560 518-3099
schoppe@compuserve.com



PRELIMINARY PLAN & PLAT

HENNEBERRY WOODS

JEFFERSON COUNTY

MOORE ENTERPRISES, INC.

4411 White Ash Lane
Naperville, Illinois 60564

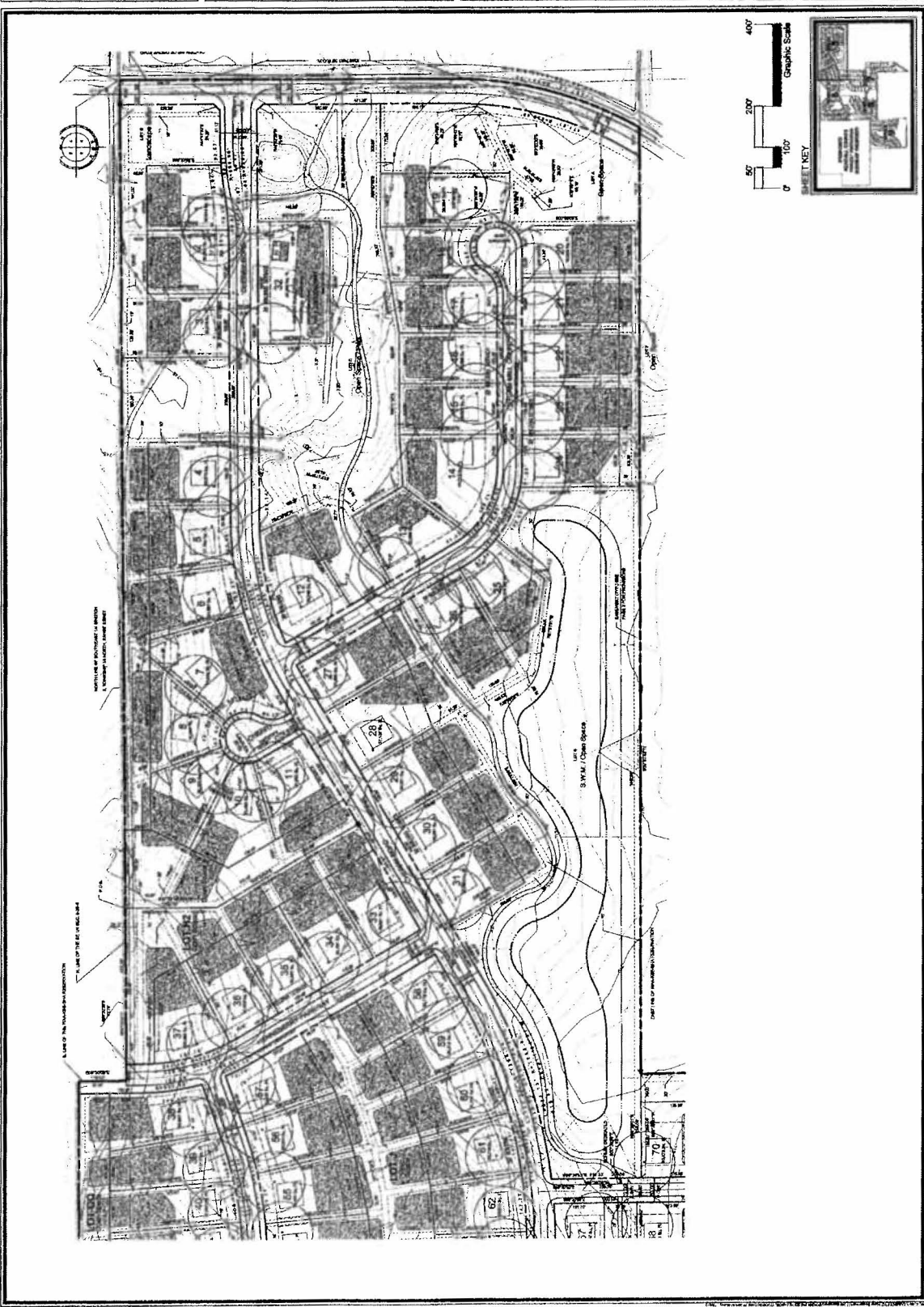
Schoppe Design Associates, Inc.

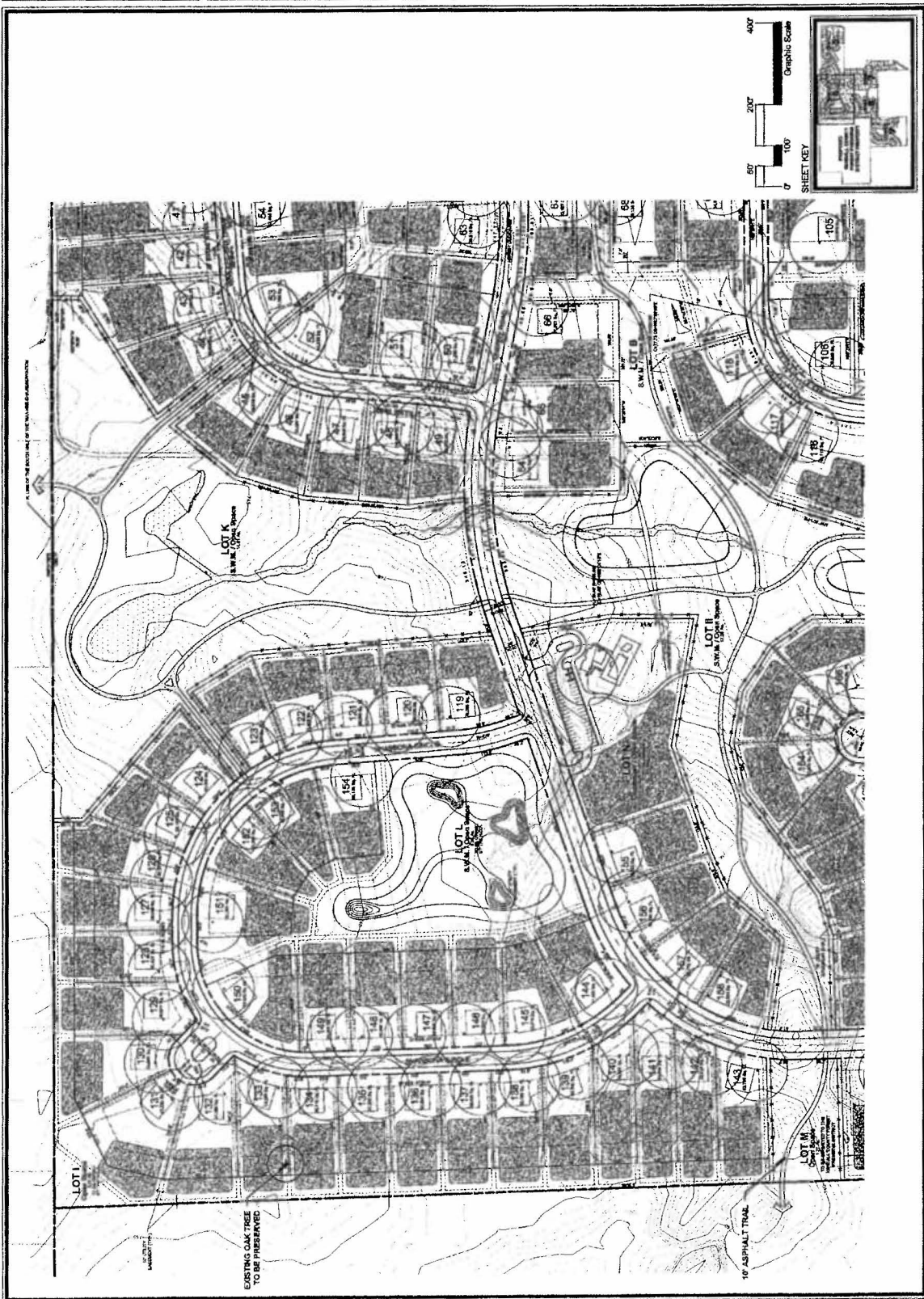
1400 N. Lincoln Ave.
Chicago, IL 60642

GRAPHIC SCALE

0 100' 200' 400'

SHEET KEY





PRELIMINARY PLAN & PLAT

HENNEBERRY WOODS

KENDALL COUNTY

Moore Enterprises, Inc.

4431 White Ash Lane

Naperville, Illinois 60564

Phone: 708-430-2000

Fax: 708-430-2000

Moore Enterprises, Inc.

Schepke Design Associates, Inc.

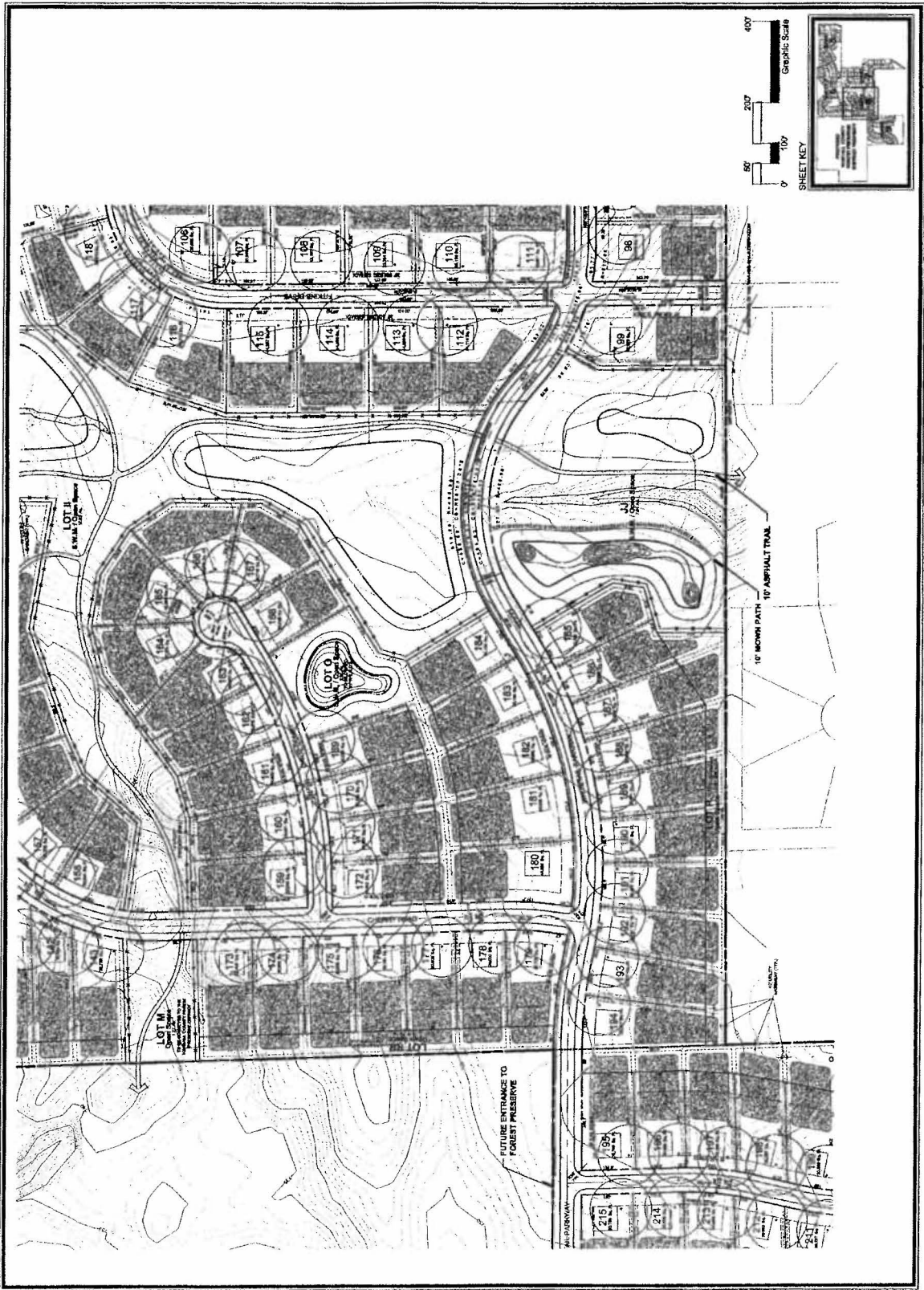
1400 N. Lincoln Ave.

Chicago, IL 60614

Phone: 312-527-1000

Fax: 312-527-1001

Schepke Design Associates, Inc.

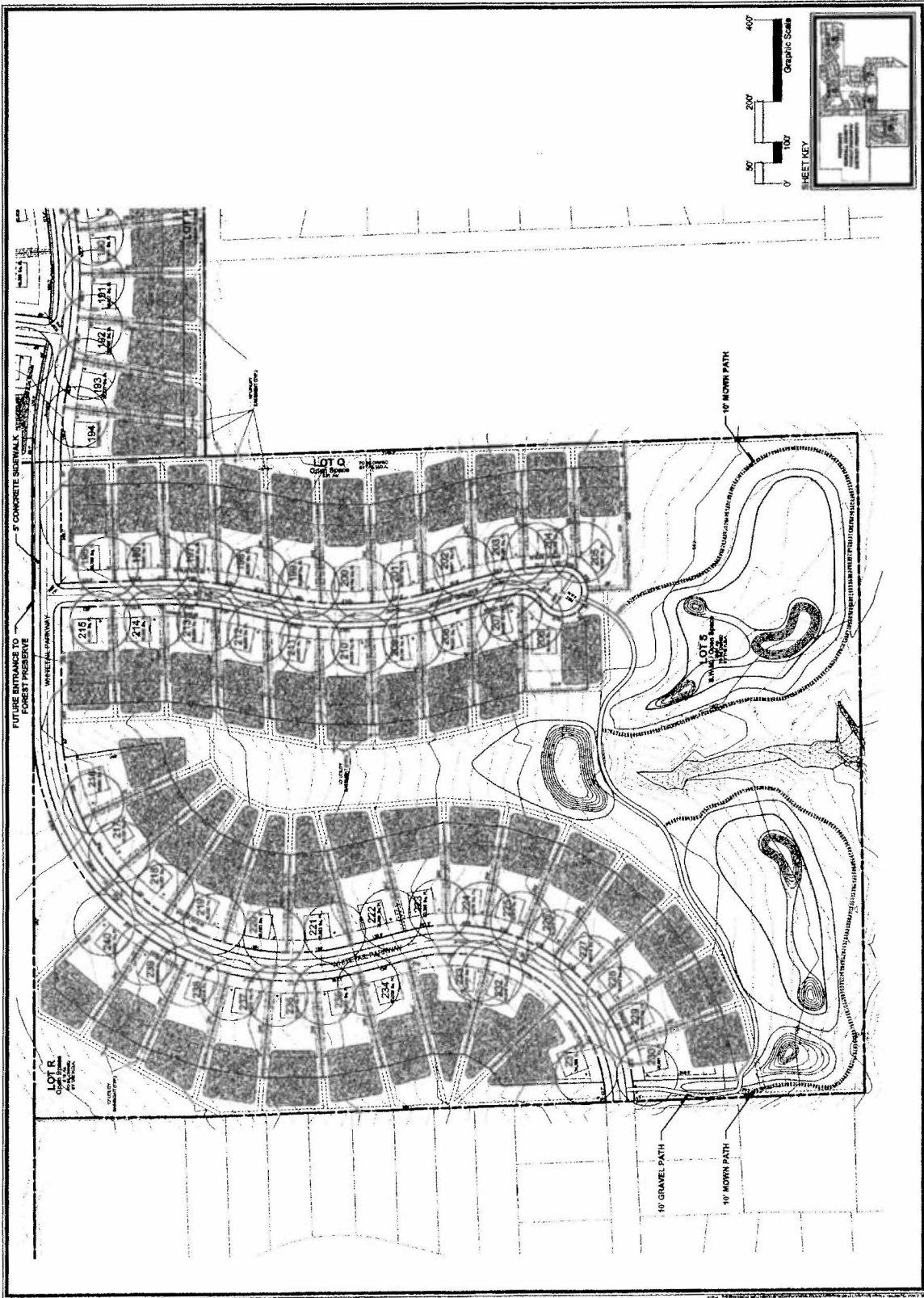


da
Schuyler Design Associates, Inc.
11111 11th Ave. N.
P.O. Box 11111
Minneapolis, MN 55411
Phone: 612.338.1111
Fax: 612.338.1112
www.schuylerdesign.com

MOORE ENTERPRISES, INC.
4411 11th Ave. N.
Minneapolis, MN 55411
Phone: 612.338.1111
Fax: 612.338.1112
www.mooreenterprises.com

HENNEBERRY WOODS
MINNEAPOLIS, MINN.
PRELIMINARY PLAN & PLAT

9 of 9
Graphic Scale
0 100 200 400
SHEET KEY



HENNEBERRY WOODS

KENDALL COUNTY

PRELIMINARY LANDSCAPE PLAN

PREPARED FOR:

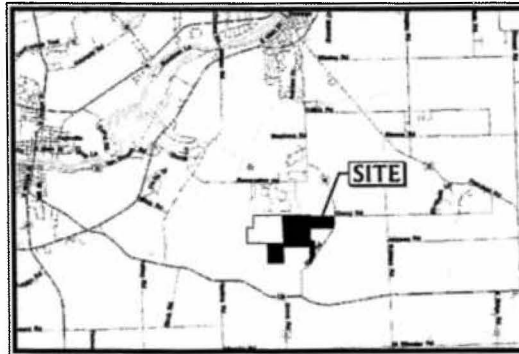


Moser Enterprises, Inc.
401 S. Main St.
Suite 300
Naperville, Illinois 60540
Phone: 1-830-420-3000



4431 White Ash Lane
Naperville, Illinois 60564

LOCATION MAP



SHEET INDEX

- 1 Cover Sheet
- 2 Overall Site Plan
- 3 Preliminary Landscape Plan
- 4 Preliminary Landscape Plan
- 5 Preliminary Landscape Plan
- 6 Preliminary Landscape Plan
- 7 Preliminary Landscape Plan

GENERAL NOTES

1. Base information obtained from Preliminary Plan and Plat prepared by Schoppe Design Associates., dated 05-12-2010.
2. Street Tree Requirement:
Minimum of 1 Shade Tree per 40 linear feet of ROW, spaced no less than 40' on center, and no more than 50' on center for all street R.O.W.

-51,780 linear feet of R.O.W. / 40 = 1295 Street Trees Required
- Provided = 1303

EXHIBIT C

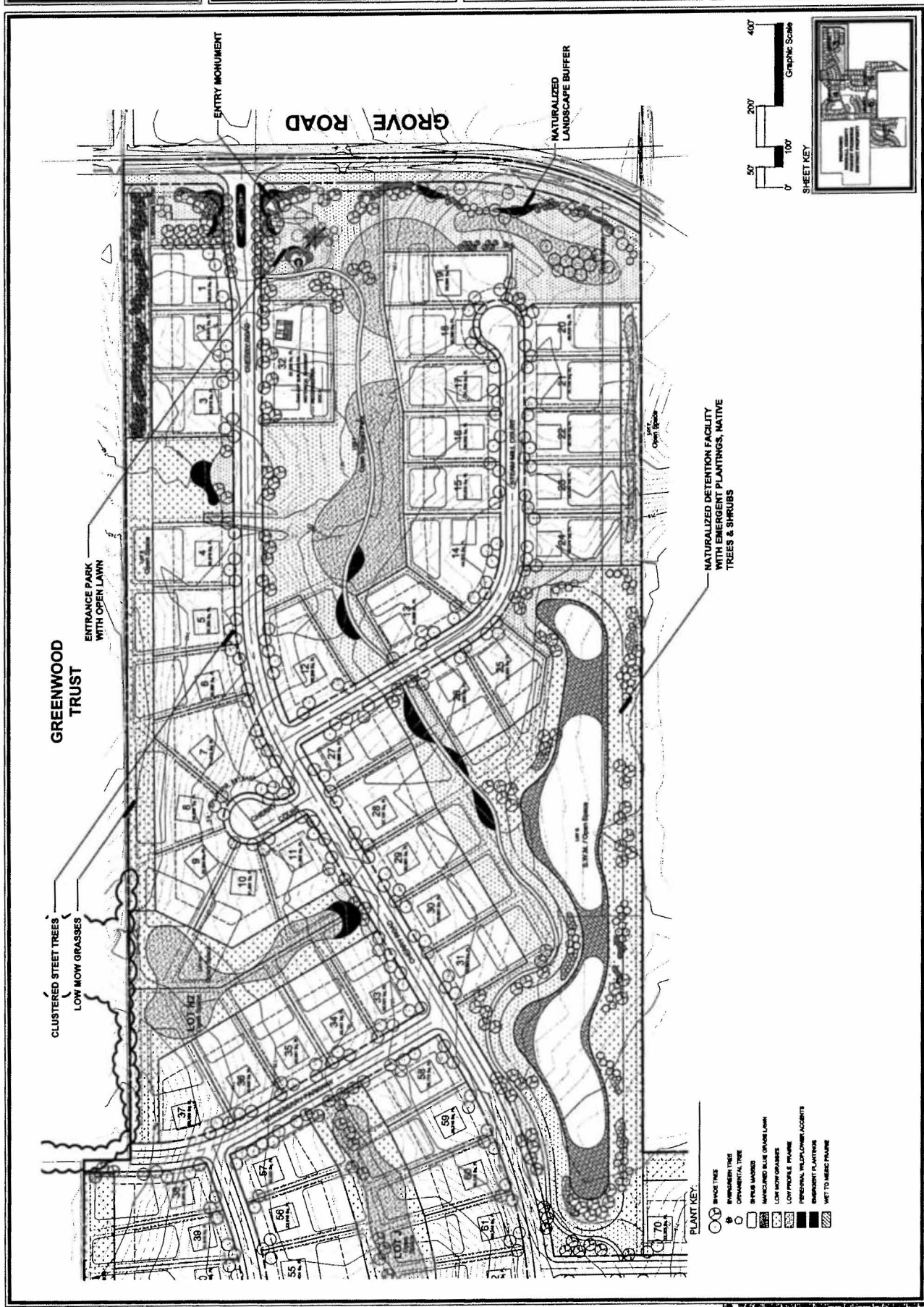
PREPARED BY:

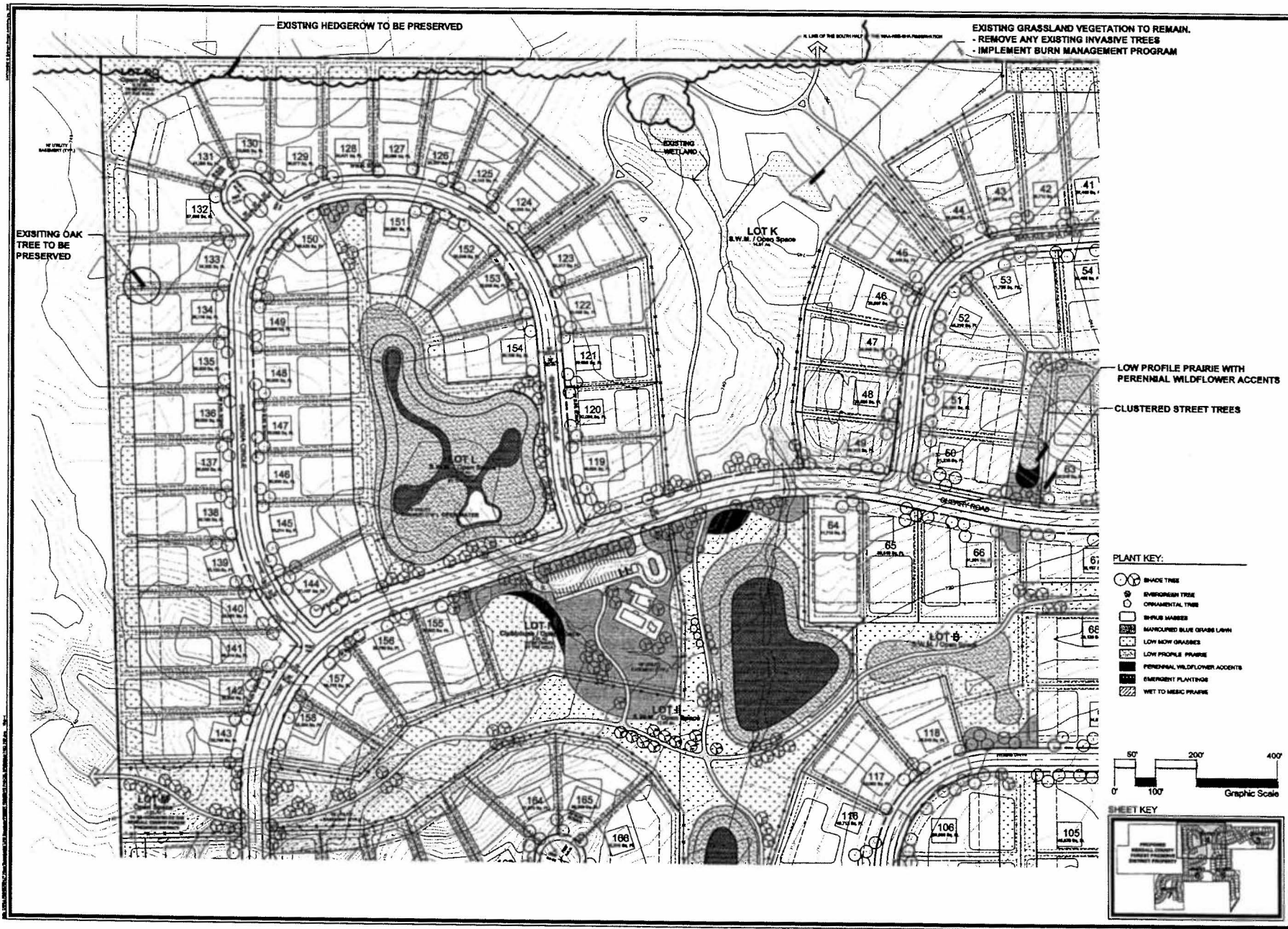


Schoppe Design Associates, Inc.
LAND PLANNING & LANDSCAPE ARCHITECTURE
104 S. Main Street Orwigo, IL 60543
p: 630 351-3355 f: 630 351-3639
schoppedesign.net



REVISION	DATE	SHEET NUMBER	PURPOSE
0	04-18-2010	ALL	ISSUED FOR KENDALL COUNTY REVIEW
1	05-12-2010	ALL	ISSUED FOR KENDALL COUNTY REVIEW
2	-	-	-
3	-	-	-
4	-	-	-
5	-	-	-
6	-	-	-
7	-	-	-
8	-	-	-





124 S. Main Street
Ottawa, Illinois 61350
P. 618 331-2255
F. 618 331-2255
www.schuylerdesign.com

Schuyler Design Associates, Inc.
Landscape Architecture

401 S. Main St.
Naperville, Illinois 60564
Phone: 630-255-3000

Moore Enterprises, Inc.
Landscape Architects

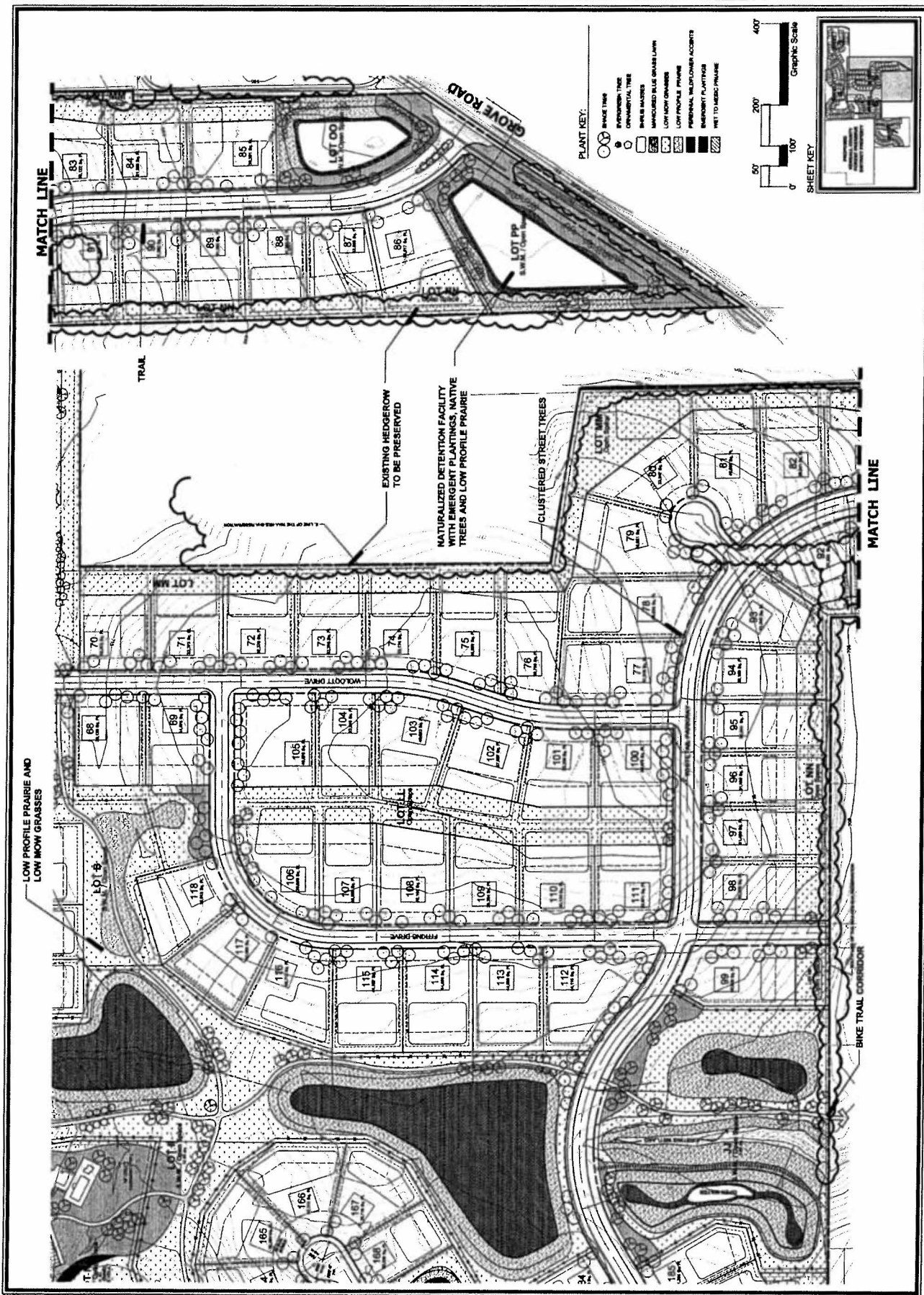
HENNEBERRY WOODS
KENDALL COUNTY
PRELIMINARY LANDSCAPE PLAN

4 OF 7

HENNEBERRY WOODS
KENDALL COUNTY
PRELIMINARY LANDSCAPE PLAN

4431 White Ash Lane
Naperville, Illinois 60564

Schoppe Design Associates, Inc.
136 S. Main Street
Orange, IL 60654
Tel 810 331-3639
Fax 810 331-3639
schoppe@compuserve.com





KENDALL COUNTY HEALTH DEPARTMENT

811 W. John Street, Yorkville, IL 60560-9249 630/553-9100 Administration Fax 630/553-9506



Public Health
Prevent Promote Protect

May 28, 2010

EXHIBIT E

Dan Kramer
1107A South Bridge St.
Yorkville, IL 60560

RE: Henneberry Woods Preliminary Plat Review Response Comments

Dear Mr. Kramer,

The Kendall County Health Department, Environmental Health Unit (KCHD) submits that the petitioner/developer of the above referenced, proposed subdivision **has reasonably ascertained* that most residential lots within said proposed subdivision are able to support the installation and subsequent use of an approved private sewage disposal system and private water supply** as defined by all applicable state and county public health codes.

KCHD does however wish to reiterate remaining concerns with respect to certain aspects of the proposed preliminary plat design, offering the following comments for your consideration as you pursue (final) plat approval. These comments take into account the requirements of the Illinois Private Sewage Disposal Licensing Act and Code, the Illinois Water Well Construction Code, and the Kendall County Subdivision Control Ordinance. We ask that you please carefully review these comments, and recommend that they be factored into the strategy and ultimate design of the final plat.

Please accept the following comments, referencing your letter to KCHD dated May 18, 2010, in response to our initial preliminary plat review comments to you, dated May 21, 2010:

1. With respect to point 1 on page 1, it appears that septic envelopes have been sized with little regard to the minimum sizing recommendations for [conventional] septic systems (*as set forth in the County's Subdivision Control Ordinance*). While the possibility exists for some if not many lots to be served by [alternative technology-based] septic systems, it is important to note that, in general, potentially undersized septic envelopes can limit the number of septic system options available to the future lot owner, options for both the primary septic system as well as a future septic system repair or replacement.

Kendall County Location
811 West John Street
Yorkville, Illinois 60560
630/553-9100 Fax 630/553-9605

Kendall-Grundy Community Action
A Unit of Kendall County Health Department

Helping People. Changing Lives.

Grundy County Location
1802 N. Division St., Rm. 403
Morris, Illinois 60450
815/941-3262 Fax 815/942-3925

KCHD is all too familiar with undersized septic envelopes ultimately incapable of supporting a repair *of any sort* that meets code requirements. Based on this experience, KCHD would be remiss not to reiterate the importance of using the Septic Envelope Sizing Chart, provided in the Subdivision Control Ordinance, as a design guide.

2. With respect to point 2 on page 1, KCHD agrees with the proposed approach, which is to reconfigure lots to meet septic envelope sizing recommendations or to notify homeowners that alternative technology-based systems will be required. Again, KCHD strongly recommends the use of the septic envelope sizing recommendations as they relate to septic system-related soil limitations; allowing for the possible installation of conventional septic systems, this as opposed to relying on the default option of installing alternative technology-based systems.

A substantial number of lots do not meet the recommended lot sizing requirements (forty-nine lots) according to the septic envelope sizing chart provided in the Subdivision Control Ordinance. These lots are as follows: 119-125, 127, 128, 130, 131, 150-156, 159, 160, 163, 165, 167-169, 177-179, 183-191, 197-200, 202, 203, 205, 209, 212, 213, 215, 225.

Sewage disposal systems serving these lots will very likely need to utilize non-conventional, alternative technology-based designs. Again, these systems will likely be more expensive to install, operate and maintain, and will have an increased number of mechanical components (pumps, timers, motors). It is important to note that, in our experience, many local septic contractors appear not favor alternative technologies such as mound systems or slow drip irrigation, believed to be based in large part on their complexity and cost.

3. With respect to point 3 on page 2, the Kendall County Subdivision Control Ordinance includes a chart generated by Illinois State Certified Soil Classifiers that highlight soils determined to be unsuitable for septic systems. Septic envelopes for 44 lots in the proposed development are situated over these unsuitable soils. According to the requirements of the Subdivision Control Ordinance, potential lot buyers must receive advanced notification in a way that warns them of the observed unsuitable soils and the potentially severe soil limitations. Due to these limitations and the high probability that they will severely hamper the normal functionality of subsurface septic systems, KCHD recommends reconfiguring these lots so that the proposed septic envelopes are not positioned over such soils by the time the subdivision reaches the final plat stage. These lots are as follows:

- Lots 122, 128, 136, 138, 144, 145, 146, 147, 148, 149, 165, 167, 168, 169, 177, 178, 184, 185, 186, 187, 188, 191, 196, 201, 204, 205, 206, 207, 208, 209, 211, 212, 213, 217, 234, 235, 238, 239.

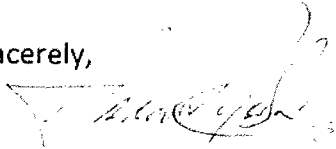
These soils are designated as unsuitable due to their wet nature and very high seasonal water levels (drummer soils).

- Lots 158, 159, and 160 due to filled/manipulated soils (known as "orthent soils"). KCHD recommends that more soil borings be taken from within these proposed septic envelopes in order to determine if these lots can be served by [any type] of private sewage disposal system. *Septic seepage fields are not permitted to be installed in fill soils according to the Illinois Private Sewage Disposal Licensing Act and Code.*
 - Lots 161, 162, and 163 due to filled/manipulated and wet soils (orthent and drummer soils). Section(s) of these septic envelopes appear to be positioned over very wet soil with an extremely shallow seasonal high water table. KCHD recommends that more soil borings be taken in order to determine if these lots can be served by any type of private sewage disposal system.
 - Lots 175 and 176 due to very wet soils (peatone soils). Evidence of a seasonal high water table was discovered at less than 12 inches from the natural ground surface. Water had actually been [observed] at 41 inches below the natural ground surface.
4. With respect to point 4 on page 2, KCHD strongly recommends adjusting lots in order to protect the large oak tree existing between proposed lots 133 and 134. Your written response indicated that the septic envelopes are to be manipulated on the final plat in order to provide a larger setback between septic envelopes and the existing tree. According to the proposed preliminary plat, the septic envelope fills most of the space in the rear yard of each aforementioned lot. According to the Subdivision Control Ordinance, these envelopes are just large enough to meet the recommended sizing requirements for (subsurface) sewage disposal. KCHD recommends maintaining the septic envelope sizes as proposed, and reconfiguring these lots in a manner which increases the septic envelope setbacks to the tree.

In conclusion, the Environmental Health Unit strongly recommends that the above listed comments be taken into consideration, but that they not delay the Henneberry Woods [preliminary] plat approval process. We ask that you please respond to these comments in writing as they pertain to a subsequent review of the future proposed final plat.

Should you have any questions, or concerns, please feel free to contact this office at (630) 553-9100, ext. 8026.

Sincerely,



Aaron J. Rybski, LEHP
Assistant Director, Environmental Health

CC: Angela Zubko, Kendall County Department of Planning, Building and Zoning
Mike Schoppe, Schoppe Design Associates, Inc.
Ted McCannon, Environmental Design Services
Steve Curatti, Kendall County Director of Environmental Health

* It is not possible to ascertain with complete certainty that each proposed residential lot will be able to support the installation and subsequent use of an approved private sewage disposal system without having first performed lot-specific soil testing (*testing typically not performed until after the subdivision has been approved and lots are purchased*), and before the numbers of bedrooms and the final size and position of each home, are revealed.

Revised May 28, 2010 #2

STATE OF ILLINOIS)
) ss
COUNTY OF KENDALL)

EXHIBIT F

**SECOND AMENDMENT
PLANNED UNIT DEVELOPMENT AGREEMENT
HENNEBERRY WOODS SUBDIVISION**

This Second Amendment to the Henneberry Woods Planned Unit Agreement (hereinafter referred to as "AGREEMENT"), is made and entered into this 1st day of June, 2010, by and between the COUNTY OF KENDALL (hereinafter referred to as "KENDALL") a body politic, and HENNEBERRY WEST, LLC, and Illinois Limited Liability Company and HENNEBERRY WOODS, INC. (hereinafter referred to as "OWNERS/DEVELOPERS"), which is dated this 1st of June 2010

WITNESSETH

WHEREAS, OWNERS/DEVELOPERS and the COUNTY OF KENDALL through its Forest Preserve and County Board have entered into negotiations and have executed the Contract to purchase by the Kendall County Forest Preserve from OWNERS/DEVELOPERS 216 acres of the proposed Henneberry Woods Subdivision; and

WHEREAS, OWNERS/DEVELOPERS were originally developing 600 acres in said subdivision and now contemplate the transfer of ownership of 216 acres of said subdivision to the Kendall County Forest Preserve District which will alter the parcel of real property originally contemplated to be platted under Units 4-8 of said subdivision; and

WHEREAS, the Kendall County Board has considered it to be in the best interest of the County and in the orderly development of Henneberry Woods Subdivision to make certain specific modifications to the original Preliminary Planned Unit Development Agreement, and to the original Preliminary Plan and Plat; and

WHEREAS, OWNERS/DEVELOPERS have submitted through their consultants and at the public hearing which was held on May 5, 2010 and in consultation with County Consultants and Advisory Boards, revisions to the Preliminary Plan and Plat of Henneberry Woods, which had been prepared and submitted in writing and are dated by Schoppe Design & Associates, Inc. as of May 28, 2010; and

WHEREAS all parties hereto agree that the First Amendment to the PUD Agreement dated January 16, 2008 is hereby rescinded and that the original Planned Unit Development Agreement for Henneberry Woods Subdivision be specifically amended as follows:

I. OWNERS/DEVELOPERS DEVELOPMENT OBLIGATIONS:

1. OWNER/DEVELOPER shall be permitted to improve said subdivision with 240 lots and 241 dwelling units instead of the original 357 units, lot 32 consisting of the preservation of the existing historical stone barn, having the potential to be utilized as a residential structure and to construct an additional residence there on. Section 1 Zoning Paragraph B of the original Planned Unit Development Agreement is herein modified to modify the maximum number of lots permitted to be platted within Henneberry Woods to said number.
2. That Section 1 Zoning Paragraph B of the original Planned Unit Development Agreement is hereby modified providing that OWNERS/DEVELOPERS have submitted and the County Board has approved a revised Concept Plan and Preliminary Plan and Plat dated May 28, 2010. Said Concept Plan reflects the granting of density bonus credits to increase the previously approved density from .61 to .65 based on the granting of the following bonus credits beyond the base density of .45:

Available Density Bonus Credits	Base density-	0.45
Public Access to Open Space -		0.03
Innovative Detention/Significant use of native vegetation/infiltration -		0.04
Secondary Open Space in excess min. for stormwater or park donation requirements -		0.07
Provision For significant rec. amenities -		0.01
Off-Site Roadway Contributions/improvements -		0.03
Conservation of Historic Structures (stone barn) -		0.01
<u>Enhancement/expansion of wetland or creation of new wetlands -</u>		<u>0.01</u>
Total:		0.65

3. That in addition to the variance referenced under Section 1 “Zoning” Paragraph C(ii)(a) Jessup Court running in a generally north – south direction having a cul-de-sac at its terminus shall also be permitted to have a length longer than 1,000 linear feet which is approximately 1,350 feet as has been approved by the Kendall County Planning, Building & Zoning Committee and the Oswego Fire Protection District.
4. That OWNERS/DEVELOPERS shall construct consistent with the original Preliminary Planned Unit Development Agreement one clubhouse building and pools as depicted on their sales brochures in terms of location, architecture, and site as shown on the Preliminary Plan and Plat of Schoppe Design having a square footage of no less than 2,100 square feet.
5. That the lot layout, concept plan design and preliminary plan and plat as contained in the Schoppe Design Associates, Inc. drawings dated May 28, 2010 as modified, upon recommendations of staff, the Kendall County Planning, Building, and Zoning Committee, the Kendall County Regional Plan Commission, and the Kendall County Zoning Board of Appeals is approved as the adopted Preliminary Plan and Plat of Henneberry Woods Subdivision.
6. That except to the extent modified by this Agreement, all original terms, conditions, entitlements, and obligations of either party as contained in the original Planned Unit Development Agreement and as contained in the Planned Unit Development Agreement are hereby ratified, re-published, and re-affirmed.

All recitals set out in this Agreement are herein adopted as conditions of this Agreement as though set forth in full.

II. TECHNICAL REVISIONS TO ORIGINAL PLANNED UNIT DEVELOPMENT AGREEMENT DATED SEPTEMBER 1, 2005:

1. Section 1 Zoning, Paragraph C (ii)(g) lot size in excess of 45,000 square feet variance is deleted.
2. Section 1 Zoning, Paragraph D is hereby modified to provide that OWNERS/DEVELOPERS shall submit final stormwater management and engineering plans for approval upon submission for each Final Plat Application.
3. Section 2 Fees, Paragraph A is hereby modified to provide that OWNERS/DEVELOPERS agree to pay the required School Land-Cash Fees in accordance with the ordinances and fair market values for Kendall County in effect at

the time of recording the Final Plat for each respective Unit. Said fees shall be collected and be made payable prior to the release of a single-family permit for each of the buildable lots within the development at the time of recording the Final Plat for each respective Phase or Unit.

In addition to the above fees, at the time of application for each single-family residential building permit, the Applicant for each single-family residential building permit shall pay \$500.00 per lot to the Kendall County Forest Preserve District, said Forest Preserve District Fees shall be utilized solely by the District to construct future improvements within the adjoining 216 acre Forest Preserve Property.

4. The parties agree that the last sentence of Section 2 Fees, Paragraph C is deleted.
5. Section 3 Donations and Contributions, Paragraph C (i) and C (iii) the acreage being conveyed to Oswegoland Park District is being modified from 38.3 acres to 39.48 acres; and the dwelling unit count therein is modified to 240 lots. It is anticipated that OWNERS/DEVELOPERS will enter into an Amendment to their original Oswegoland Park District Agreement conforming to the Oswegoland Park District memo as to trails and contributions.
6. OWNERS/DEVELOPERS and Kendall County agree that OWNERS/DEVELOPERS may submit applications for approval of Final Plats through December 31, 2018 unless modified by a subsequent amendment approved by the County Board, the preliminary plat dated May 28, 2010 shall survive through December 31, 2018.
7. OWNERS/DEVELOPERS and Kendall County agree that the Homeowners Association shall be turned over to lot owners within three (3) years of approval of this Agreement, or in the alternative OWNERS/DEVELOPERS provide Kendall County with written consent of the majority of Homeowners to delay turnover due to the desire of the Homeowners to have OWNERS/DEVELOPERS to continue to maintain common area improvements until such time as the improvements have been inspected for completion and accepted by the County and transferred to the Homeowner's Association.
8. Section 4 Subdivision Improvements, Paragraph G of the original PUD Agreement is hereby deleted.
6. TIME IS OF THE ESSENCE.

It is understood and agreed by the parties hereto that time is of the essence in this AGREEMENT, and that all parties will make every reasonable effort, to expedite the subject matter

hereof. It is further understood and agreed by the parties that the successful consummation of this AGREEMENT requires their continued cooperation.

7. BINDING EFFECT.

This Third Planned Unit Amendment Agreement shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns including, but not limited to, successor owners of record, successor developers, and upon any successor County authority of KENDALL. In the event any portion of this AGREEMENT is deemed unenforceable by a Court of competent jurisdiction the remaining portion shall be binding upon all parties.

8. NOTICES AND REMEDIES.

Upon a breach of this AGREEMENT, any of the parties in any court of competent jurisdiction, by any action or proceeding at law or in equity, may exercise any remedy available at law or equity.

Before any failure of any party of this AGREEMENT to perform its obligations under this AGREEMENT shall be deemed to be a breach of this AGREEMENT, the party claiming such failure shall notify in writing, certified mail/return receipt requested, the party alleged to have failed to perform, state the obligation allegedly not performed and the performance demanded.

Notice shall be provided at the following addresses:

KENDALL:

Kendall County Zoning Director
c/o Kendall County Zoning Office
111 W. Fox St.
Yorkville, Illinois 60560

Copy to Kendall County
States Attorney:

Kendall County States Attorney
807 W. John St.
Yorkville, Illinois 60560

OWNERS/DEVELOPERS:

Moser Enterprises, Inc.
401 S. Main St., Ste. 300
Naperville, IL 60540

Crestview Builders
4004 Falcon Dr.
Naperville, IL 60564

Attorney for

OWNERS/DEVELOPERS:

Law Offices of Daniel J. Kramer

1107A S. Bridge Street

Yorkville, Illinois 60560

9. AGREEMENT TO PREVAIL OVER ORDINANCES.

In the event of any conflict between this AGREEMENT and any ordinances of KENDALL in force at the time of execution of this AGREEMENT or enacted during the pendency of this AGREEMENT, the provision of this AGREEMENT shall prevail to the extent of any such conflict or inconsistency.

10. PARTIAL INVALIDITY OF AGREEMENT.

If any provision of this AGREEMENT (except those provisions relating to the requested rezoning of the Property identified herein and the ordinances adopted in connection herewith), or its application to any person, entity, or property is held invalid, such provision shall be deemed to be excised herefrom and the invalidity thereof shall not affect the application or validity of any, other terms, conditions and provisions of this AGREEMENT and, to that end, any terms, conditions and provisions of this AGREEMENT are declared to be severable.

If, for any reason during the term of this AGREEMENT, any approval or permission granted hereunder regarding plans or plats of subdivision or zoning is declared invalid, KENDALL agrees to take whatever action is necessary to reconfirm such plans and zoning ordinances effectuating the zoning, variations and plat approvals proposed herein.

11. USE OF PROPERTY FOR FARMING.

Any portion of the PROPERTY, which is not conveyed or under development as provided herein, may be used for farming purposes, regardless of the underlying zoning until developed.

12. HENNEBERRY WEST, LLC, an Illinois Limited Liability Corporation hereby disclose that they are the sole OWNERS/DEVELOPERS of the subject real property upon closing with the current record titleholder.

IN WITNESS WHEREOF, the parties have executed this Planned Unit Agreement the day and year first above written.

KENDALL:
COUNTY OF KENDALL

By: Anne Vachey
County Board Chairman

Dated: June 1, 2010

Attest: Dolore Gellotte
County Clerk

OWNERS/DEVELOPERS:
HENNEBERRY WEST, LLC, an Illinois Limited Liability Corporation

By: Ronald G. Schuli

Dated: June 1, 2010

Attest: Dolore Gellotte

HENNEBERRY WOODS INC., an Illinois Limited Corporation

By: Ronald G. Schuli

Dated: June 1, 2010

Attest: Dolore Gellotte

Prepared by & Return to:
Law Offices of Daniel J. Kramer
1107A S. Bridge Street
Yorkville, Illinois 60560
630.553.9500

IN WITNESS WHEREOF, the parties have executed this Planned Unit Agreement the day and year first above written.

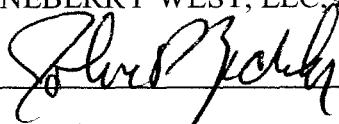
KENDALL:
COUNTY OF KENDALL

By: _____
County Board Chairman

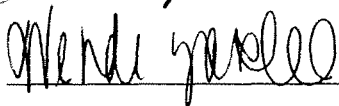
Dated: _____

Attest: _____
County Clerk

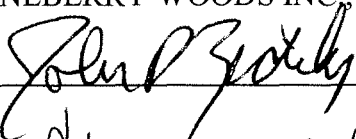
OWNERS/DEVELOPERS:
HENNEBERRY WEST, LLC, an Illinois Limited Liability Corporation

By: 

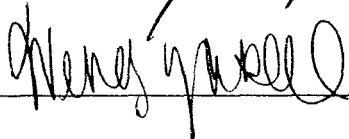
Dated: 6/2/10

Attest: 

HENNEBERRY WOODS INC., an Illinois Limited Corporation

By: 

Dated: 6/2/10

Attest: 

Prepared by & Return to:
Law Offices of Daniel J. Kramer
1107A S. Bridge Street
Yorkville, Illinois 60560
630.553.9500

EXHIBIT LIST

- Exhibit “A” - Legal description
- Exhibit “B” - Preliminary Plan and Plat (Schoppe Design)
- Exhibit “C” - Landscape Plan revised May 12, 2010 (Schoppe Design)
- Exhibit “D” - First Amendment to Improvement and Dedication Agreement with the Oswegoland Park District Agreement
- Exhibit “E” - The Stormwater Basin Concept Plan revised May 12, 2010 (Schoppe Design)
- Exhibit “F” - Henneberry Sales Brochure
- Exhibit “G” - Kendall County Forest Preserve memo

EXHIBIT A

LEGAL DESCRIPTION FOR HENNEBERRY WOODS SUBDIVISION

PARCEL ONE

THAT PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 4 AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE SAID NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 4, AND RUNNING THENCE NORTH 89 DEGREES 35 MINUTES 41 SECONDS EAST, ALONG THE NORTH LINE OF THE AFORESAID SOUTHWEST QUARTER OF SECTION 4 A DISTANCE OF 11115.22 FEET; THENCE SOUTH 89 DEGREES 44 MINUTES 19 SECONDS EAST, 40.00 FEET, TO A POINT ON CURVE; THENCE SOUTHWESTERLY ALONG A NON-TANGENT CURVE WHOSE CENTER LIES SOUTHERLY AND HAS A RADIUS OF 710.00 FEET, A DISTANCE OF 363.76 FEET, ARC, (CHORD BEARING SOUTH 74 DEGREES 35 MINUTES 02 SECONDS WEST, 359.80 FEET CHORD) TO A POINT OF TANGENCY; THENCE SOUTH 59 DEGREES 54 MINUTES 23 SECONDS WEST, 200.00 FEET, TO A POINT OF CURVE; THENCE SOUTHWESTERLY ALONG A CURVE WHOSE CENTER LIES NORTHERLY AND HAS A RADIUS OF 790.00 FEET, A DISTANCE OF 414.27 FEET, ARC, (CHORD BEARING SOUTH 74 DEGREES 55 MINUTES 45 SECONDS WEST, 409.54 FEET, CHORD), TO A POINT OF TANGENCY; THENCE SOUTH 85 DEGREES 57 MINUTES 08 SECONDS WEST, 200.01 FEET, TO A POINT ON THE CENTERLINE OF GROVE ROAD; THENCE NORTH 89 DEGREES 02 MINUTES 52 SECONDS WEST ALONG SAID CENTERLINE, 32820 FEET, OR MORE OR LESS, TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA-AU-SAT, KENDALL COUNTY, ILLINOIS.

PARCEL TWO:

THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF THE CENTER LINE OF GROVE ROAD, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS. EXCEPTION: THAT PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHEAST CORNER OF THE WAISH-KEESHAW RESERVATION; THENCE NORTHERLY ALONG THE EAST LINE OF THE WAISH-KEESHAW RESERVATION 1737.98 FEET TO ITS POINT OF INTERSECTION WITH THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5, FOR A POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID EAST LINE 111.84 FEET TO AN EXISTING FENCE, THENCE EASTERLY ALONG SAID EXISTING FENCE LINE, WHICH FORMS AN ANGLE OF 89 DEGREES 36 MINUTES 07 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE, THEREFROM. 2324.21 FEET TO THE CENTERLINE OF GROVE ROAD; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE 51.80 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5; THENCE WESTERLY ALONG SAID NORTH LINE 2296.96 FEET TO THE POINT OF BEGINNING, IN NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS

PARCEL THREE:

THAT PART OF THE WAISH-KEESHAW RESERVATION IN SECTIONS 5, 6, 7, AND 8 TOWNSHIP 36 NORTH RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHEAST CORNER OF SAID RESERVATION; THENCE NORTH ALONG THE EAST LINE THEREOF 0.38 CHAINS TO THE NORTH LINE OF THE SOUTH HALF OF SAID RESERVATION; THENCE WEST ALONG SAID NORTH LINE 87.98 CHAINS TO A POINT 10 CHAINS EAST OF THE WEST LINE OF SAID RESERVATION; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID RESERVATION 18.653 CHAINS; THENCE WEST PARALLEL WITH THE NORTH LINE OF THE SOUTH HALF OF SAID RESERVATION 10 CHAINS, THENCE SOUTH ALONG SAID WEST LINE 23.901 CHAINS; THENCE EAST PARALLEL WITH THE NORTH LINE OF THE SOUTH HALF OF SAID RESERVATION 31.497 CHAINS; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID

RESERVATION 5.33 CHAINS TO THE SOUTH LINE OF SAID RESERVATION; THENCE EAST ALONG THE SOUTH LINE OF SAID RESERVATION TO THE POINT OF BEGINNING; IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS.

PARCEL FOUR:

LOTS 1, 2, 3, 12, 13, AND 14 IN TOWNSENOS SUBDIVISION OF THE NORTH HALF OF FRACTIONAL SECTION 7, TOWNSHIP 36 NORTH, RANGE 3 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS.

EXCEPT THAT PART OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 26 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4; THENCE SOUTH 0 DEGREES 02 MINUTES 52 SECONDS EAST ALONG THE CENTER LINE OF GROVE ROAD, 819.74 FEET TO A POINT OF CURVE; THENCE SOUTHWESTERLY ALONG SAID CENTER LINE ON A CURVE WHOSE CENTER LIES WESTERLY AND HAS A RADIUS OF 881.50 FEET. ARC 467.04 FEET (CHORD BEARING SOUTH 15 DEGREES 08 MINUTES 51 SECONDS WEST 461.60 FEET, CHORD); THENCE SOUTH 89 DEGREES 51 MINUTES 52 SECONDS WEST 2323.44 FEET TO THE EAST LINE OF THE WAA-KEE-SHA RESERVATION; THENCE SOUTH 89 DEGREES 29 MINUTES 01 SECONDS WEST 255.00 FEET; THENCE NORTH 0 DEGREES 30 MINUTES 59 SECONDS WEST 218.30 FEET TO A POINT ON A CURVE; THENCE NORTHEASTERLY ALONG A NON-TANGENT CURVE, WHOSE CENTER LIES NORTHERLY AND HAS A RADIUS OF 1285.00 FEET, ARC 522.13 FEET (CHORD BEARING NORTH 71 DEGREES 04 MINUTES 33. SECONDS EAST 518.55 FEET, CHORD) TO A POINT OF TANGENCY THENCE NORTH 59 DEGREES 26 MINUTES 06 SECONDS EAST 341.97 FEET; THENCE NORTH 30 DEGREES 33 MINUTES 54 SECONDS WEST 399.99 FEET; THENCE NORTH 0 DEGREES 22 MINUTES 03 SECONDS WEST 222.10 FEET TO THE NORTH LINE OF SAID SOUTHEAST 1/4 OF SECTION 5; THENCE NORTH 89 DEGREES 37 MINUTES 57 SECONDS EAST ALONG SAID NORTH LINE 2032.32 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS

**EXCEPT THE FOLLOWING DESCRIBED REAL PROPERTY BEING CONVEYED
TO THE KENDALL COUNTY FOREST PRESERVE**

THAT PART OF SECTION 6, WHICH INCLUDES PART OF HENNEBERRY WOODS UNIT 4, IN TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 5, SAID SECTION CORNER ALSO BEING THE NORTHEAST CORNER OF HENNEBERRY WOODS UNIT 1, AND RUNNING THENCE SOUTH 89 DEGREES 37 MINUTES 57 SECONDS WEST, ALONG THE NORTH LINE OF SAID UNIT 1 A DISTANCE OF 245471 FEET, TO THE EAST LINE OF THE WAA-KEE-SHA RESERVATION, SAID LINE ALSO BEING THE NORTHEAST LINE OF HENNEBERRY WOODS UNIT 2; THENCE NORTH 0 DEGREES 30 MINUTES 59 SECONDS WEST, 116.02 FEET, ALONG SAID NORTHEAST LINE OF THE NORTH LINE OF THE SOUTH HALF OF THE WAA-KEE-SHA RESERVATION, SAID LINE ALSO BEING THE NORTH LINE OF HENNEBERRY WOODS UNIT 2; THENCE SOUTH 89 DEGREES 51 MINUTES 06 SECONDS WEST, 1899.24 FEET, TO THE NORTHWEST CORNER OF AFORESAID UNIT 2; THENCE CONTINUING ALONG THE AFORESAID NORTH LINE OF THE SOUTH HALF OF RESERVATION. SOUTH 89 DEGREES 51 MINUTES 06 SECONDS WEST, 947.08 FEET, TO THE POINT OF BEGINNING; THENCE SOUTH 01 DEGREES 42 MINUTES 43 SECONDS EAST, 2805.28 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 06 SECONDS WEST, ALONG A LINE THAT IS PARALLEL WITH THE NORTH LINE OF THE SOUTH HALF OF AFORESAID RESERVATION, 3692.70 FEET; THENCE NORTH 0 DEGREES 12 MINUTES 50 SECONDS WEST, 1577.86 FEET; THENCE NORTH 89 DEGREES 51 MINUTES 06 SECONDS EAST, ALONG A LINE 18.653 CHAINS SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTH HALF OF THE WAA-KEE-SHA RESERVATION, 660.00 FEET, THENCE NORTH 0 DEGREES 12 MINUTES 50

SECONDS WEST, ALONG A LINE 10 CHAINS EAST OF AND PARALLEL WITH THE WEST LINE OF THE WAA-KEE-SHA RESERVATION, 1226.37 FEET; THENCE NORTH 89 DEGREES 51 MINUTES 06 SECONDS EAST, ALONG THE NORTH LINE OF THE SOUTH HALF OF THE WAA-KEE-SHA RESERVATION, 2959.37 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, EXCEPTING THEREFROM ANY PART OF LOTS 42 THRU 56, BOTH INCLUSIVE, & OUTLOT E IN WHITETAIL RIDGE, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 9, 2005 AS DOCUMENT 2005015985, AND EXCEPTING THEREFROM ANY PART OF LOTS 151 AND 158 IN HENNEBERRY WOODS UNIT 4, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 18, 2007 AS DOCUMENT 2007036143, ALL IN KENDALL COUNTY, ILLINOIS.

HENNEBERRY WOODS

KENDALL COUNTY

PRELIMINARY PLAN AND PLAT

PREPARED FOR:

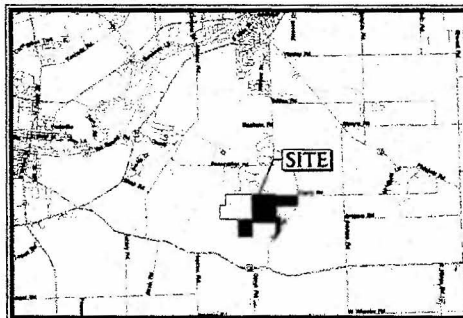


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Phone: 1-830-420-3000



4431 White Ash Lane
Naperville, Illinois 60564

LOCATION MAP



SHEET INDEX

- 1 Cover Sheet, Legal Description
- 2 Existing Conditions Sheet
- 3 Sections, Lot Detail, Lot Size Charts
- 4 Overall Site Plan
- 5 Preliminary Plan & Plat
- 6 Preliminary Plan & Plat
- 7 Preliminary Plan & Plat
- 8 Preliminary Plan & Plat
- 9 Preliminary Plan & Plat

GENERAL NOTES

1. Boundary and topographic information obtained from plans prepared by Intech Consultants, Inc., plans titled Plat of Survey - Schlapp Parcel & plat of Survey - Henneberry Parcel (west of Grove Road), both dated 10-16-2002.

EXHIBIT B

PREPARED BY:



Schoppe Design Associates, Inc.
LAND PLANNING & LANDSCAPE ARCHITECTURE
126 S. Main Street - Oswego, IL 60543
P: 630 551-3355 F: 630 551-3630
schoppe@pdainc.com



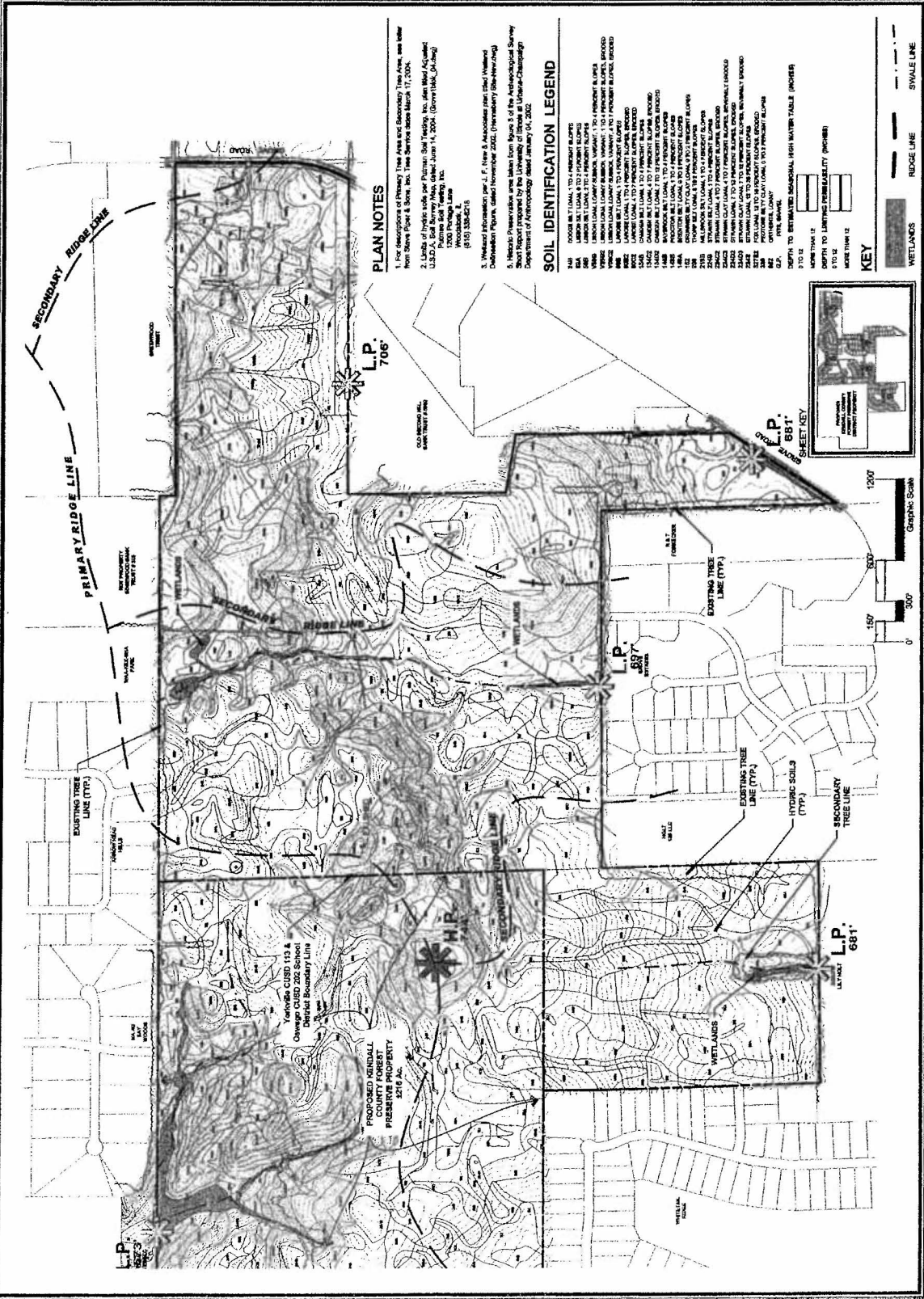
REV.	DATE	SHEET NUMBER	PURPOSE
0	2010-03-18	ALL	ISSUED PER KENDALL COUNTY REV.
1	2010-04-16	ALL	REVISED PER KENDALL CTY. CMNTS.
2	2010-04-28	3, 4, 8, 7 & 8	REVISED PER ENGINEERING CMNTS.
3	2010-06-12	3, 4 & 9	REVISED PER COUNTY COMMENTS
4	2010-06-26	ALL	REVISED PER COUNTY COMMENTS
5	2010-06-27	4, 6 & 8	ADDED FENCE ON LOT M
6	2010-05-28	ALL	REVISED PER COUNTY COMMENT
7			
8			

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HENNEBERRY WOODS
 KENDALL COUNTY
 EXISTING CONDITIONS

2 OF 9



PLAN NOTES

1. For descriptions of Primary Tree Area and Secondary Tree Area, see later.
2. Limits of Hydrologic Unit (H.U.) and Primary Soil Types, see later. (See Appendix A, U.S.D.A. Soil Survey Map, dated June 14, 2004. (Source: USGS, OH-100).
3. Wetland Information per J. F. New & Associates (see later) (Wetland Delineation Report, dated November 2002. (Henneperry) (See Appendix B).
4. Historic Preservation Area, taken from Figure 8 of the Archaeological Survey Report prepared by the University of Illinois at Urbana-Champaign, Department of Anthropology, dated January 4, 2002.

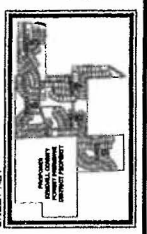
SOIL IDENTIFICATION LEGEND

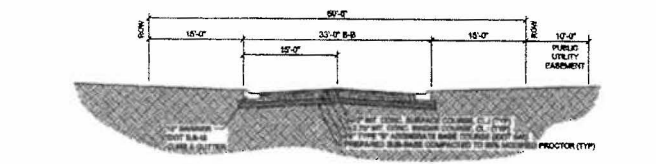
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- 10195 MOLLISOL, 975 TO 979 PERCENT SLOPES
- 10196 MOLLISOL, 980 TO 984 PERCENT SLOPES
- 10197 MOLLISOL, 985 TO 989 PERCENT SLOPES
- 10198 MOLLISOL, 990 TO 994 PERCENT SLOPES
- 10199 MOLLISOL, 995 TO 999 PERCENT SLOPES
- 10200 MOLLISOL, 1000 TO 1004 PERCENT SLOPES

KEY

- WETLANDS
- PRIMARY RIDGE LINE
- SECONDARY RIDGE LINE
- SWALE LINE

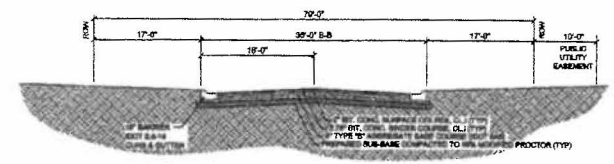
GRAPHIC SCALE





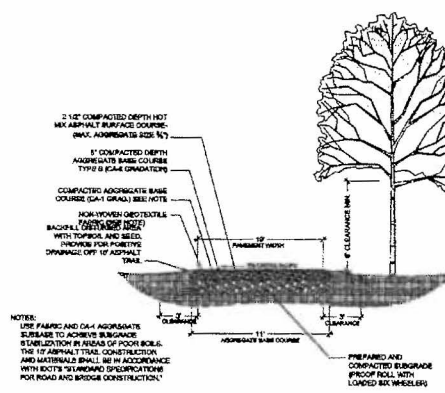
LOCAL STREET SECTION

Scale: 1/8" = 1'-0"



MINOR COLLECTOR STREET SECTION

Scale: 1/8" = 1'-0"



NOTES:

- USE FABRIC AND O.A. AGGREGATE SURFACE TO ACHIEVE BULGANCE STABILIZATION BY AREAS OF POOR ROLL THE 17' ASPHALT TRAIL CONSTRUCTION ARE MATERIALS SHALL BE IN ACCORDANCE WITH EXISTING STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.
- PREPARED AND COMPACTED SUBGRADE (PROOF ROLL WITH LOADED ROLLERS)

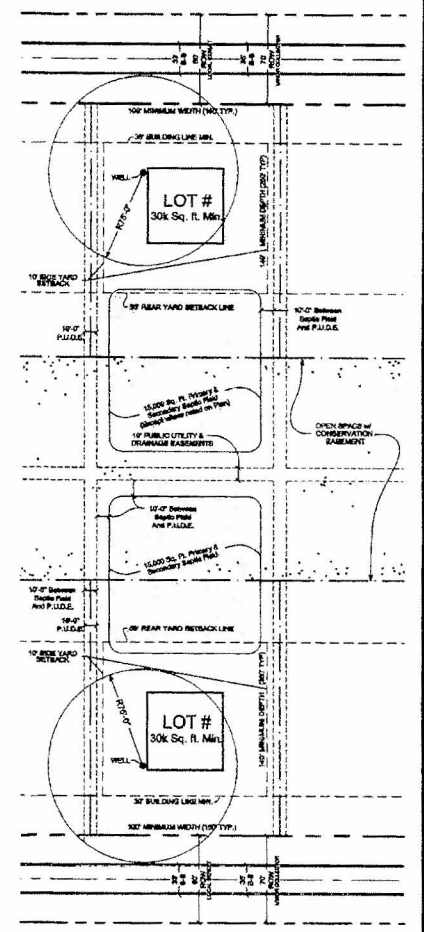
OSWEGOLAND PARK DISTRICT - 10' ASPHALT TRAIL SECTION

Scale: 1/4" = 1'-0"

OPEN SPACE LOT CHART

Lot #	Size	Description
A	3.00 Ac.	Open Space
B	3.10 Ac.	Open Space
C	1.53 Ac.	Open Space
D	6.86 Ac.	Open Space
E	2.56 Ac.	Open Space
F	0.74 Ac.	Open Space
G	13.89 Ac.	S.W.M. / Open Space
H1	1.45 Ac.	Open Space
H2	1.79 Ac.	Open Space
I	3.72 Ac.	Open Space
J	3.13 Ac.	Open Space
K	14.81 Ac.	S.W.M. / Open Space
L	6.38 Ac.	S.W.M. / Open Space
M	1.27 Ac.	Open Space
N	3.51 Ac.	Clubhouse / Open Space
O	2.21 Ac.	Open Space
P	1.42 Ac.	Open Space
Q	2.64 Ac.	Open Space
R	5.15 Ac.	Open Space
S	28.94 Ac.	S.W.M. / Open Space
T	0.00 Ac.	Open Space
U	17.03 Ac.	S.W.M. / Open Space
V	7.54 Ac.	Open Space
W	0.29 Ac.	Open Space
X	2.43 Ac.	Open Space
Y	4.83 Ac.	Open Space
Z	3.01 Ac.	Open Space
AA	1.61 Ac.	S.W.M. / Open Space
BB	2.96 Ac.	S.W.M. / Open Space
CC	0.99 Ac.	Open Space
DD	1.20 Ac.	S.W.M. / Open Space
EE	150.00 Ac.	Total Open Space

NOTE: OPEN SPACE LOTS LOTS K, L AND JJ TO BE CONVEYED TO THE OSWEGOLAND PARK DISTRICT PER THE TERMS OF THE IMPROVEMENT AND DEDICATION AGREEMENT.



TYPICAL LOT DETAIL

Scale: 1" = 40'-0"

nda
Schaefer Design Associates, Inc.
100 E. Lake Street
Chicago, IL 60601
P: 312.321.1100
F: 312.321.1101
www.schaeferdesign.com

Moser Enterprises, Inc.
CONCRETE PAVING
4431 White Ash Lane
Naperville, Illinois 60564
Phone: 630.261.2007

HENNEBERRY WOODS
MERCER COUNTY
SECTIONS, LOT DETAIL, LOT SIZE CHARTS

3 OF 9

6" = 100'

Graphic Scale

0 100 200 400

KEY

HENNEBERRY WOODS

MINERAL COUNTY

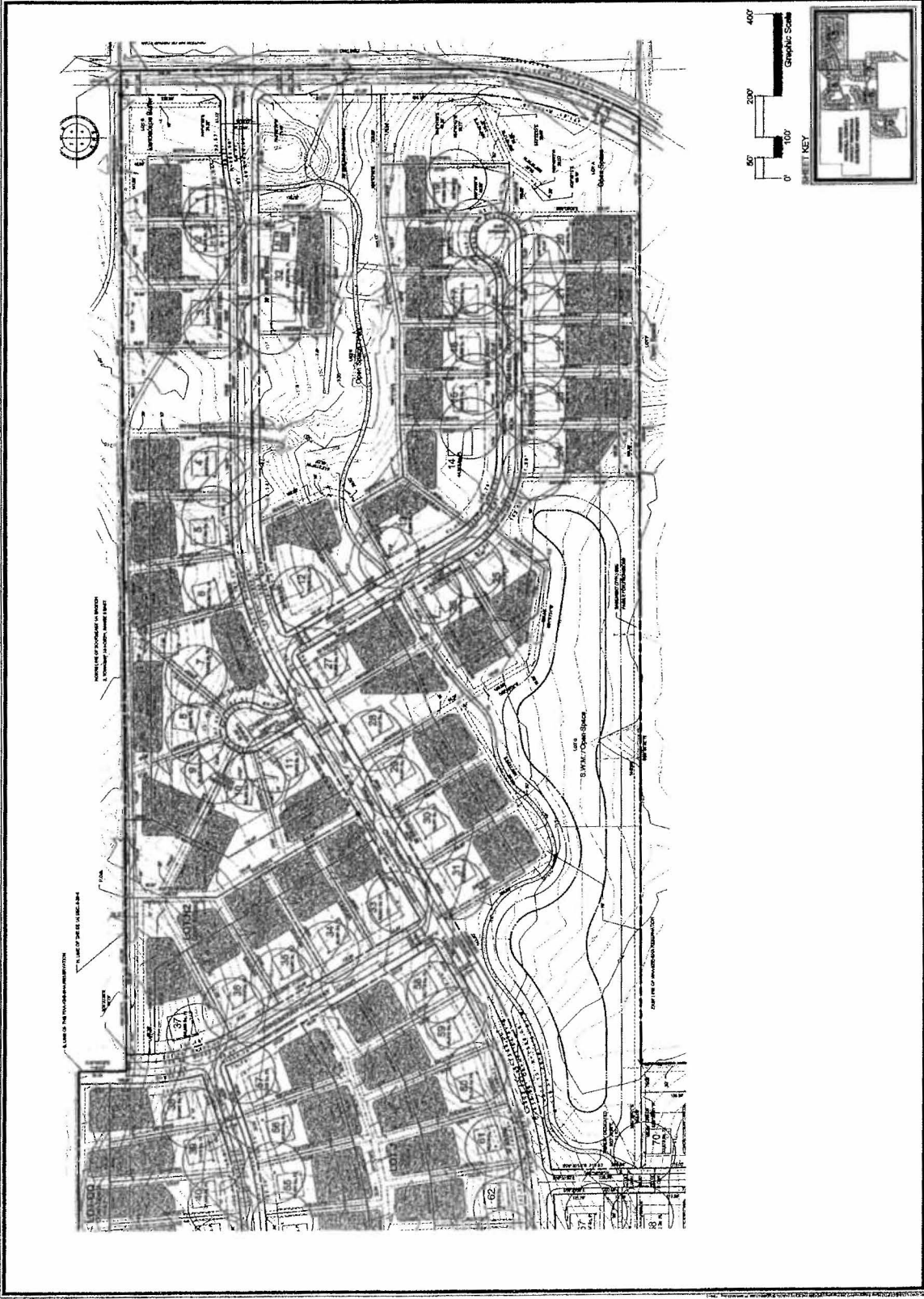
PRELIMINARY PLAN & PLAT

Moore Enterprises, Inc.
 401 S. Main St.
 Naperville, Illinois 60563
 Phone: 312-350-3300

4411 White Ash Lane
 Naperville, Illinois 60564

Schaefer Design Associates, Inc.
 120 S. Main Street
 Chicago, Illinois 60603
 Phone: 312-350-3300

HENNEBERRY WOODS 117260, 79-2010-05-25



HINNEBERRY WOODS
PRELIMINARY PLAN & PLAT

KERNHILL COUNTY

Moser Enterprises, Inc.
4431 White Ash Lane
Naperville, Illinois 60564

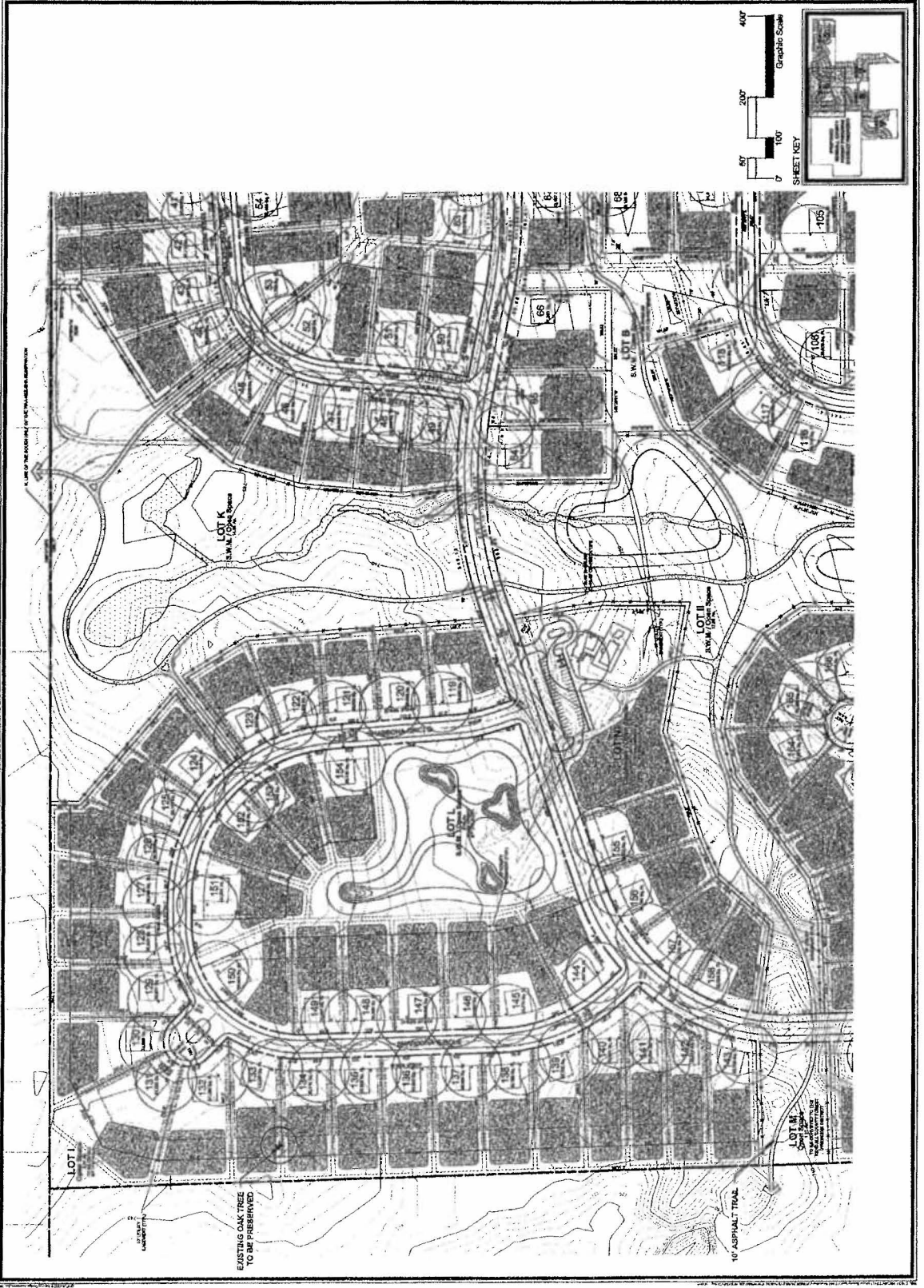
Schepke Design Associates, Inc.
100 E. Main Street
Chicago, IL 60601
P. 312.391.1333
F. 312.391.1333

6 of 9

GRAPHIC SCALE

0 100 200 300 400

SHEET KEY



7th & Lake Street
Chicago, IL 60602
Tel: 312.329.1000
Fax: 312.329.1001
www.sda.com

SDA
Schnepf Design Associates, Inc.
Landscape Planning & Architecture
Landscape Architecture
Landscape Architecture

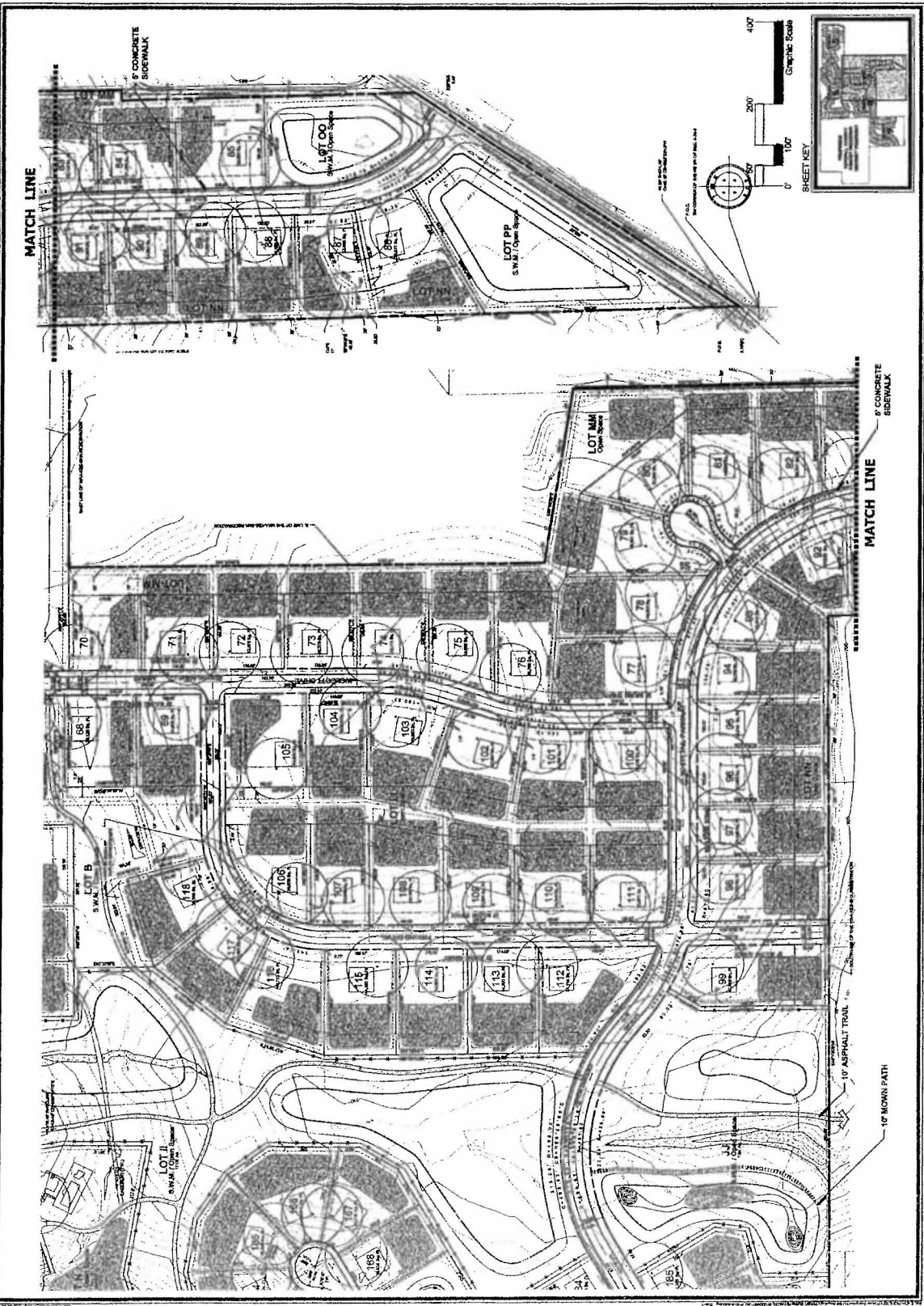
MOORE
Robert Enterprises, Inc.
4431 White Ash Lane
Naperville, Illinois 60564
Tel: 630.425.0000
Fax: 630.425.0001
www.mooreinc.com


HENNEBERRY WOODS
HENDALL COUNTY
PRELIMINARY PLAN & PLAT

7 of 9

SHEET KEY


Graphic Scale
0 100 200 400






HENNERBERRY WOODS
120 S. MAIN STREET
CHICAGO, IL 60604
TEL: 312.555.1234
FAX: 312.555.1235
WWW.HENNERBERRY.COM

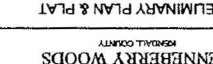
PRELIMINARY PLAN & PLAT
HENDALL COUNTY



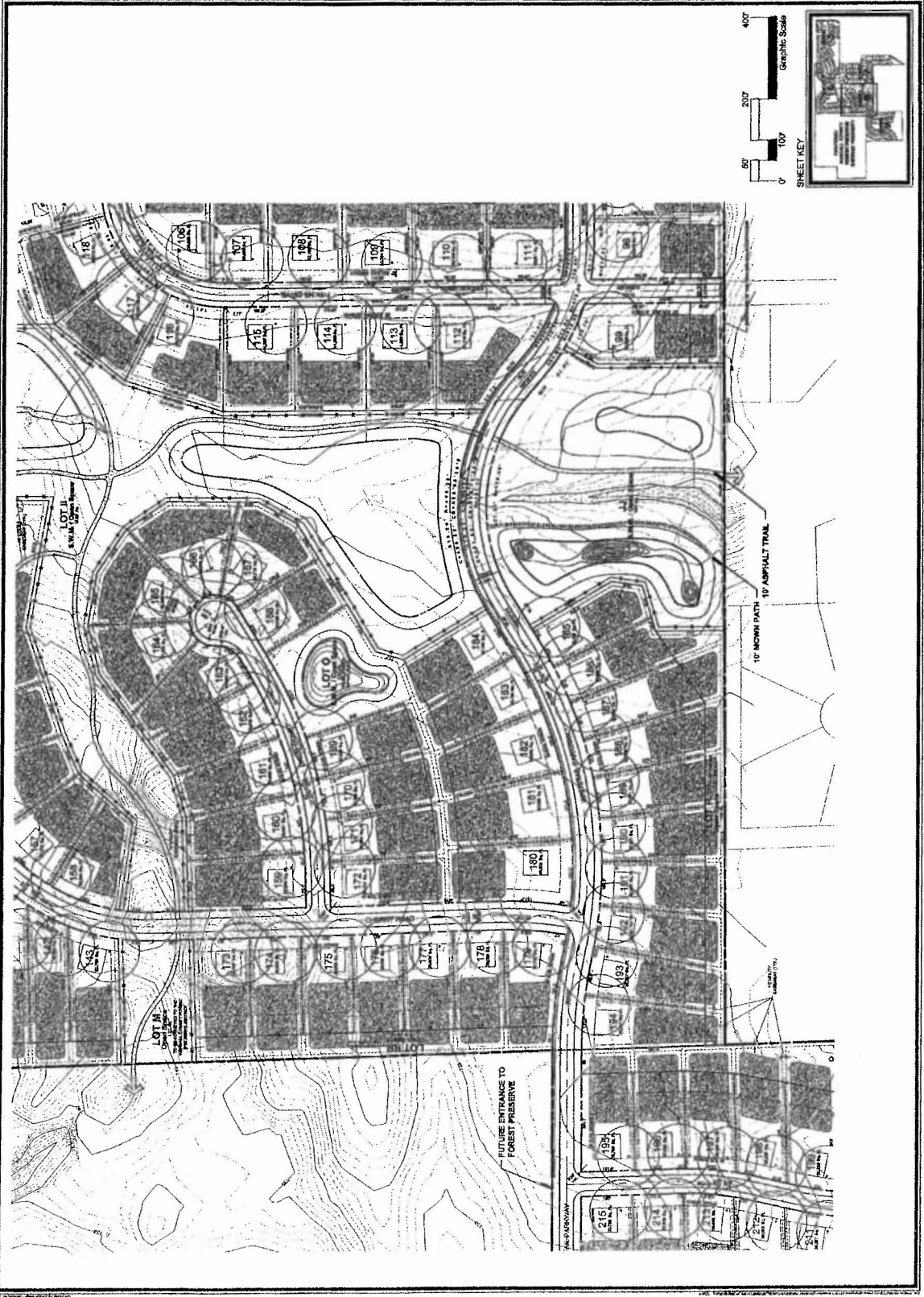
MOORE ENTERPRISES, INC.
4431 W. 111th Ave. Suite 100
Naperville, Illinois 60564
TEL: 630.232.2000
FAX: 630.232.2001
WWW.MOOREENTERPRISES.COM



SLOPES DESIGN ASSOCIATES, INC.
1000 N. WILSON AVENUE
CHICAGO, IL 60642
TEL: 312.555.1234
FAX: 312.555.1235
WWW.SLOPESDESIGN.COM




Graphic Scale
0 100 200 300 400
Feet





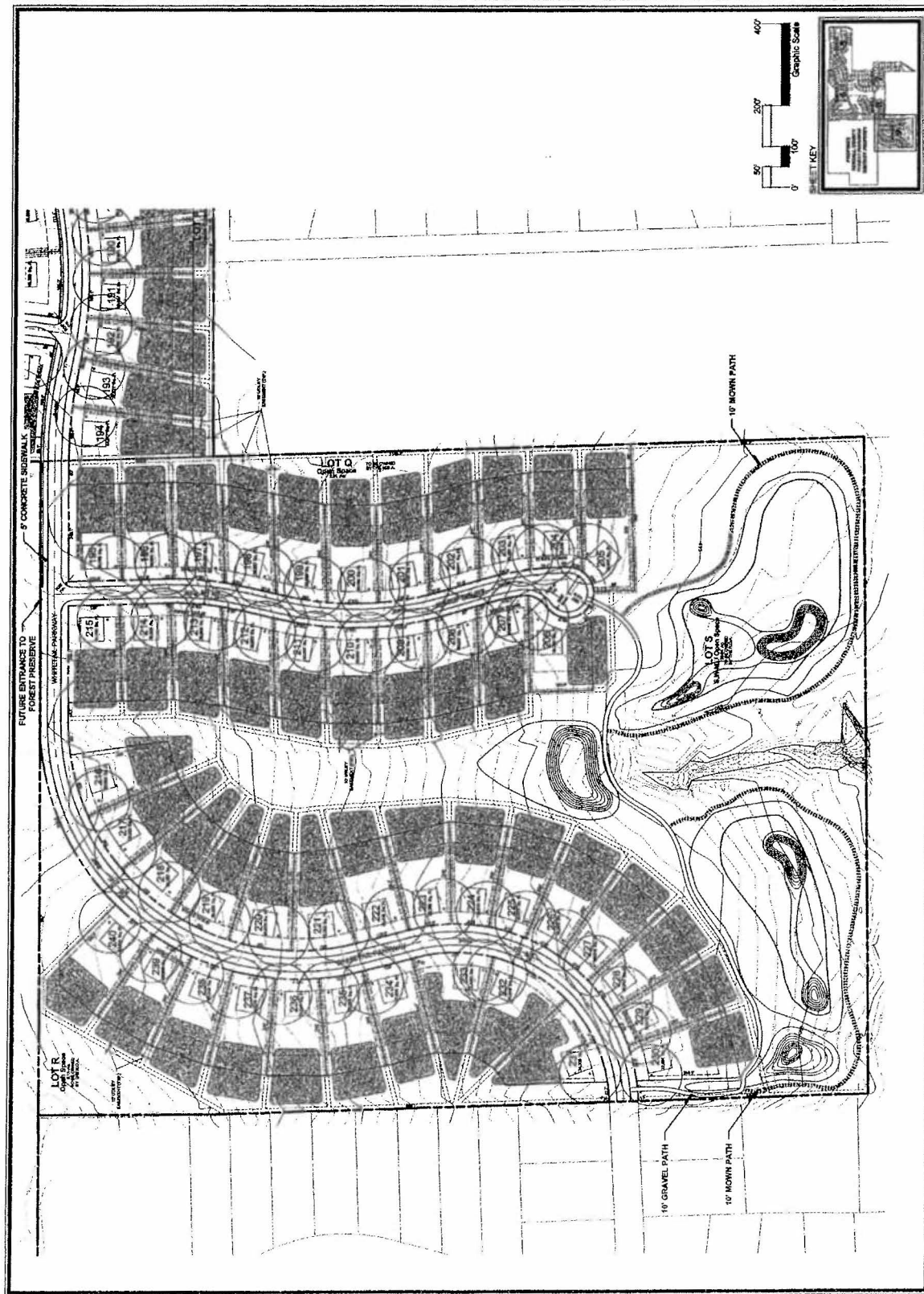
HENNEBERRY WOODS
KENDALL COUNTY
PRELIMINARY PLAN & PLAT

Moser Enterprises, Inc. 
 401 S. Main St.
 North 300
 Minneapolis, Minn 55404
 Phone 1-612-429-0900
 4431 White Ash Lane
 Naperville, Illinois 60564

Schoppe Design Associates, Inc.
LAW PLANNING & INVESTMENT ARCHITECTURE

Standa

125 S. MAIN STREET
CHICAGO, IL 60643
TEL 606-347-0048
F 606-347-0049
adp@standa.com



HENNEBERRY WOODS

KENDALL COUNTY

PRELIMINARY LANDSCAPE PLAN

PREPARED FOR:

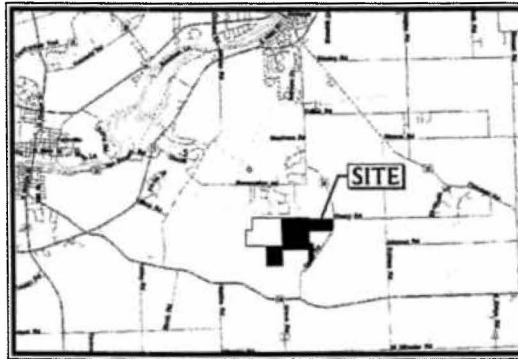


Moser Enterprises, Inc.
401 S. Main St.
Suite 300
Naperville, Illinois 60540
Phone: 1-630-420-3000



4431 White Ash Lane
Naperville, Illinois 60564

LOCATION MAP



SHEET INDEX

- 1 Cover Sheet
- 2 Overall Site Plan
- 3 Preliminary Landscape Plan
- 4 Preliminary Landscape Plan
- 5 Preliminary Landscape Plan
- 6 Preliminary Landscape Plan
- 7 Preliminary Landscape Plan

GENERAL NOTES

1. Base information obtained from Preliminary Plan and Plat prepared by Schoppe Design Associates., dated 05-12-2010.
2. Street Tree Requirement:
Minimum of 1 Shade Tree per 40 linear feet of ROW, spaced no less than 40' on center, and no more than 50' on center for all street R.O.W.

-51,780 linear feet of R.O.W. / 40 = 1295 Street Trees Required
- Provided = 1303

EXHIBIT C

PREPARED BY:



Schoppe Design Associates, Inc.
LAND PLANNING & LANDSCAPE ARCHITECTURE
126 E. Main Street, Covington, IL 60043
p: 630 551-3335 f: 630 551-3639
schoppedesign.net



REVISION	DATE	SHEET NUMBER	PURPOSE
0	04-16-2010	ALL	ISSUED FOR KENDALL COUNTY REVIEW
1	06-13-2010	ALL	ISSUED FOR KENDALL COUNTY REVIEW
2	-	-	-
3	-	-	-
4	-	-	-
5	-	-	-
6	-	-	-
7	-	-	-
8	-	-	-

da
Schoppe Design Associates, Inc.
LAND PLANNING & LANDSCAPE ARCHITECTURE
126 S. Main Street
Naperville, IL 60563
P: 630.353.5555
F: 630.353.4555
info@schoppe.com

Moser Enterprises, Inc.
RESIDENTIAL LANDSCAPES
4431 White Ash Lane
Naperville, Illinois 60564
Phone: 630.430.3000
Fax: 630.430.3000
www.moserenterprises.com

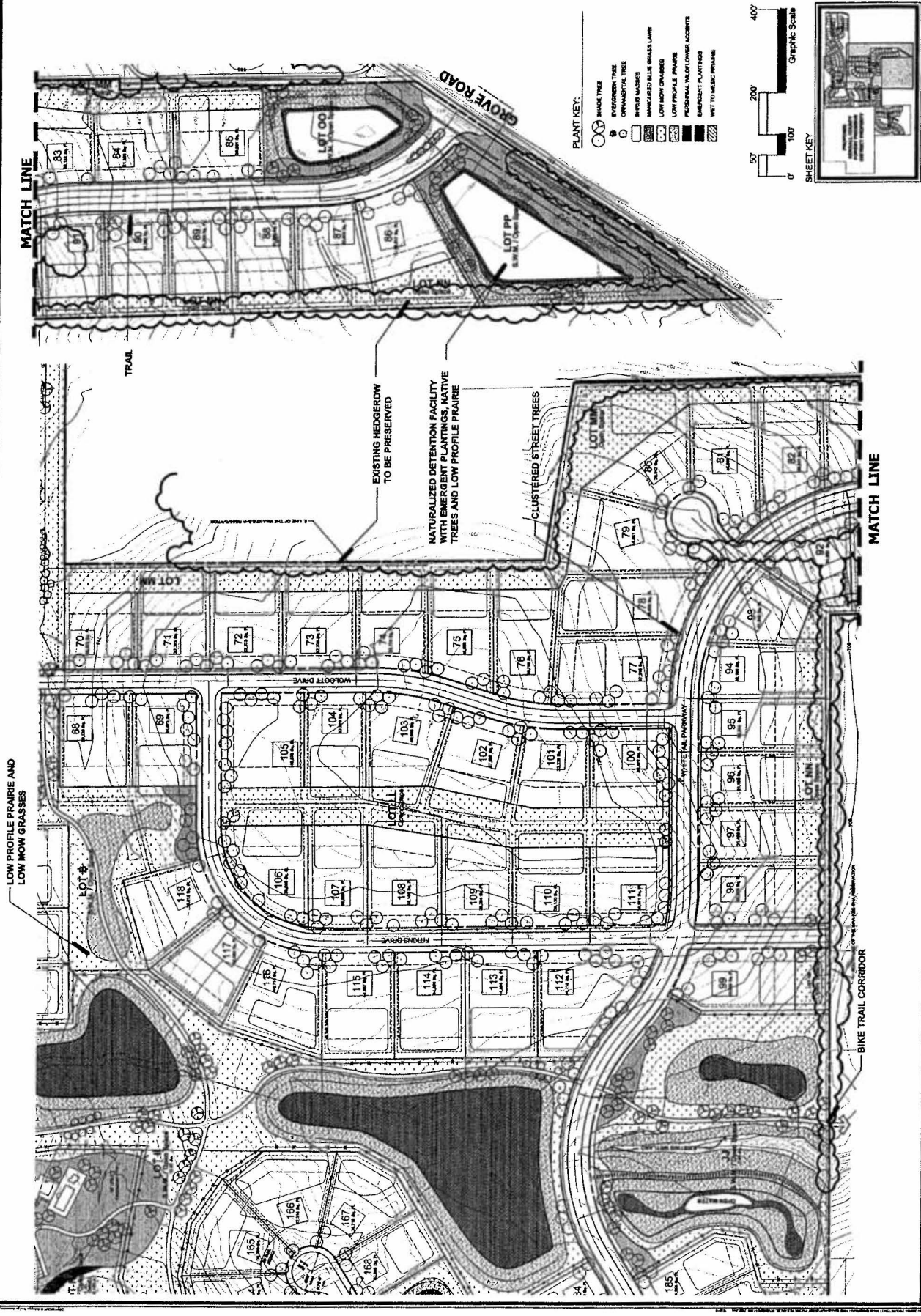
HENNEBERRY WOODS
KENDALL COUNTY
PRELIMINARY LANDSCAPE PLAN

5 OF 7

North Arrow

Graphic Scale: 0, 100', 200', 400'

SHEET KEY



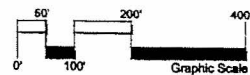
LOW MOW GRASSES

TRAIL CORRIDOR

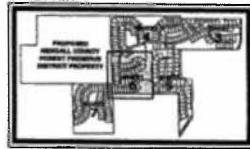
CLUSTERED STREET TREES

PLANT KEY:

- SHADE TREE
- EVERGREEN TREE
- ORNAMENTAL TREE
- SHRUB MASS
- MANICURED BLUE GRASS LAWN
- LOW MOW GRASSES
- LOW PROFILE PRAIRIE
- PERENNIAL WILDFLOWER ACCENTS
- EMERGENT PLANTINGS
- WET TO MISC PRAIRIE



SHEET KEY



PRESERVE AND ENHANCE EXISTING WETLAND

NATURALIZED DETENTION FACILITY WITH EMERGENT PLANTINGS, NATIVE TREES & LOW PROFILE PRAIRIE



Henneberry Woods, Inc.
 401 S. Main St.
 Suite 100
 Naperville, Illinois 60563
 Phone: 708-233-5000

HENNEBERRY WOODS
 NEAL COUNTY
 PRELIMINARY LANDSCAPE PLAN

Angela L. Zubko

From: Grant Casleton [gcasleton@oswegolandpd.org]
Sent: Friday, May 28, 2010 2:44 PM
To: Angela L. Zubko
Cc: dkramer@dankramerlaw.com
Subject: FW: Henneberry Woods

Grant A. Casleton, RLA
Director of Planning & Development
Oswegoland Park District
313 E. Washington St.
Oswego, IL 60543

EXHIBIT D

Phone 630-554-4426
Fax: 630-554-1157

From: Grant Casleton
Sent: Friday, May 28, 2010 2:15 PM
To: 'Angela L. Zubko'
Cc: 'dkramer@dankramerlaw.com'
Subject: Henneberry Woods

Angela,

To clarify the changes to the revised plat and reiterate, the Oswegoland Park District has agreed to take ownership of a minimum 150 ft. corridor (lot ii) with a two rail split rail fence along the perimeter to delineate the park property from private property, and a 10ft. wide asphalt multi-use trail through the length of the property, all to be constructed by the developer. There can be no septic systems within this property (lot ii). All this also applies to lots K,ii and JJ that the Oswegoland Park District will be taking ownership of as well.

Lot M will go to the Kendall County Forest Preserve District with the same improvements by the developer.

A revised "Improvement and Dedication Agreement between the Park District and the Developer" will be done in the near future.

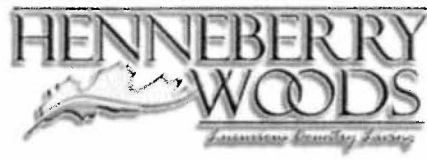
Grant A. Casleton, RLA
Director of Planning & Development
Oswegoland Park District
313 E. Washington St.
Oswego, IL 60543

Phone 630-554-4426
Fax: 630-554-1157

Luxurious Country Living

EXHIBIT F

HENNEBERRY
WOODS
Luxurious Country Living



Welcome to Henneberry Woods



Henneberry Woods is a master-planned, family-oriented community with hundreds of acres of open space. Tucked away in the beautiful countryside of Kendall County, this community is located 1.5 miles north of Route 126 on Grove Road.

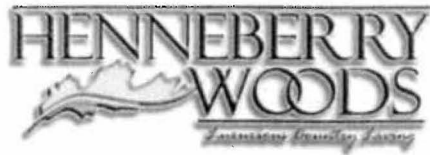
For those who want to build memories, Henneberry Woods makes possible a priceless lifestyle at prices you can afford. A clubhouse, swimming pool and hiking/bike trails are planned. The Oswego-Yorkville area boasts of fine schools, shopping and year round recreational areas.....with Mother Nature always nearby.

Henneberry Woods offers a solid foundation in which your family can thrive and grow.

Custom homes (including estate-sized lots) from the \$500's. With many custom home builders to choose from, we invite you to visit Henneberry Woods today!



*For more information, please call
(630) 420-3000
or visit us at HenneberryWoods.com*



Community Highlights

Henneberry Woods is planned to contain 357 single family homes in eight residential neighborhoods with lot sizes generally ranging from 30,000 to 64,000 square feet on 600 acres of rolling land.

This site has been carefully designed to enhance and preserve the natural beauty of the area which includes natural woodlands, meadows, wetland corridors, and over 80 feet of grade change.

At Henneberry Woods, we have sought to maintain a rural atmosphere in the general layout and design of this community including roads, country-style lighting, pathways rather than traditional sidewalks, landscape treatments and the homes themselves.



All homes in Henneberry Woods will back onto common open space areas and will be constructed with individual well and septic facilities.

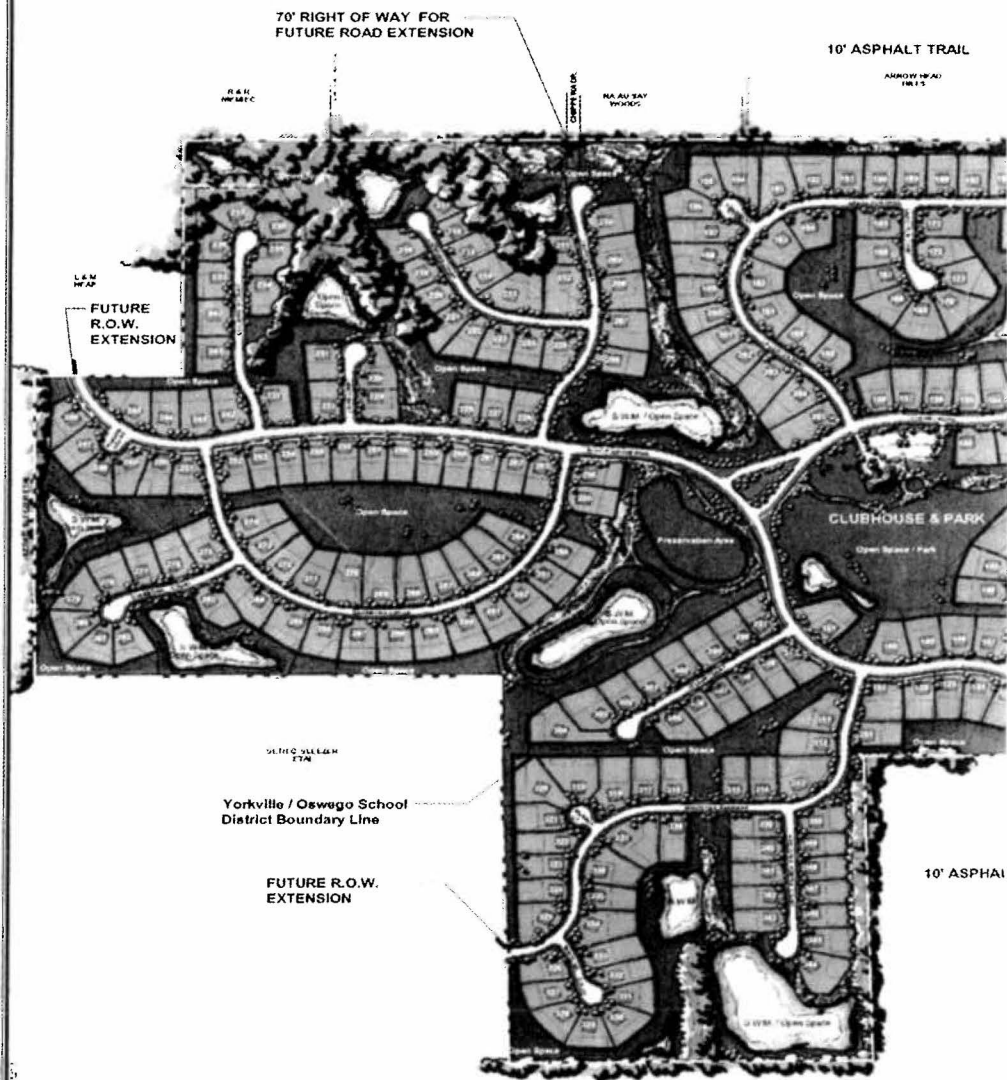
*For more information, please call
(630) 420-3000*

or visit us at HenneberryWoods.com

Site Plan



HENNEBERRY WOODS



PRELIMINARY DEVELOPMENT PLAN

Graphic Scale

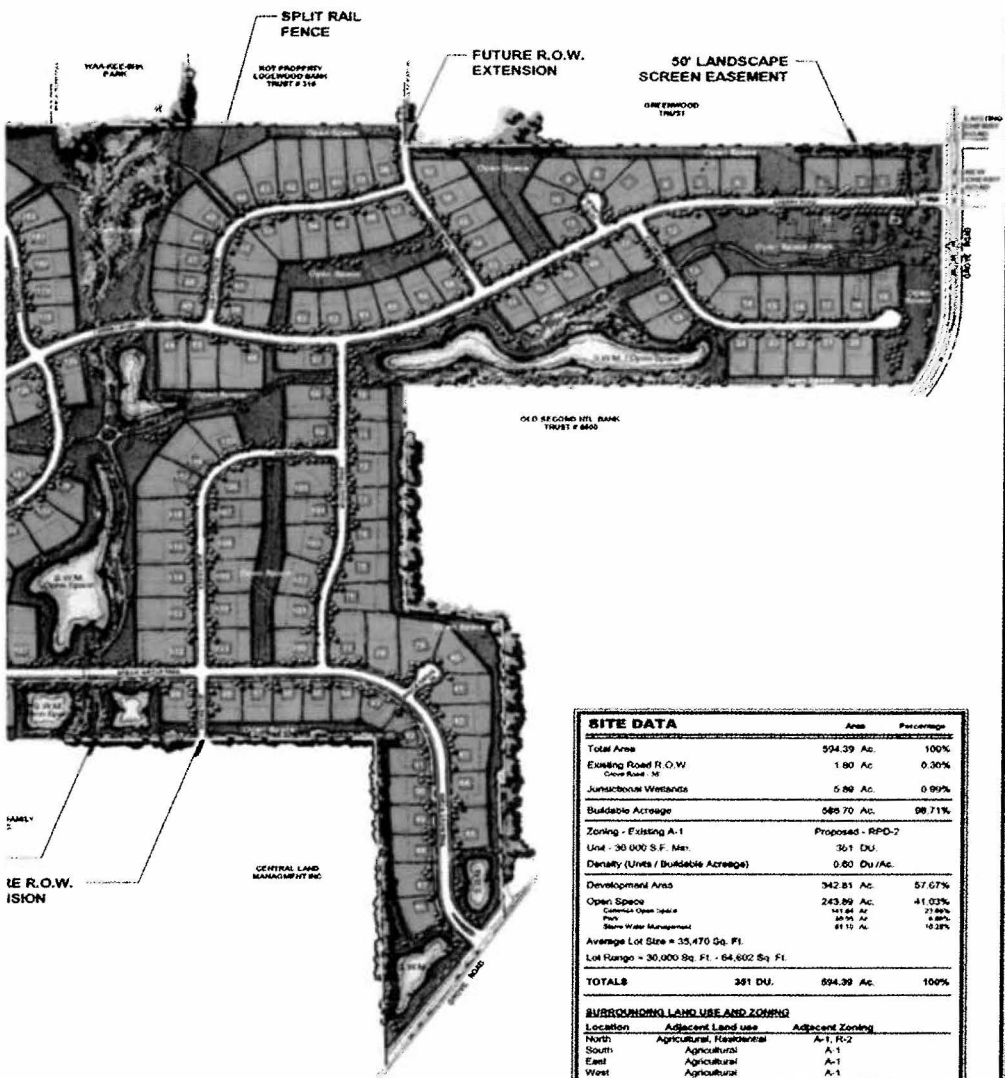
*Artist rendering - plan may be subject to change

For more information, please call
(630) 420-3000
or visit us at HenneberryWoods.com

HENNEBERRY WOODS

Executive Country Estate

Kendall County, Illinois



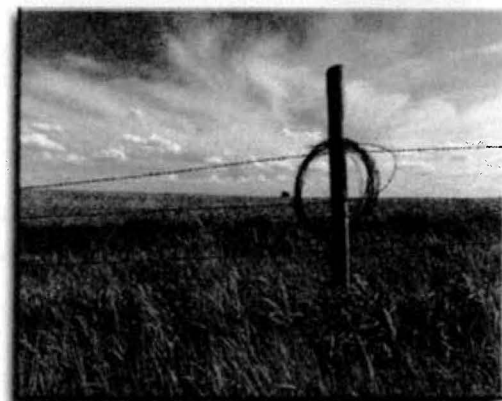
SITE DATA		
	Area	Percentage
Total Area	594.39 Ac.	100%
Existing Road R.O.W.	1.80 Ac.	0.30%
Green Road - NE		
Junction Wetlands	5.90 Ac.	0.99%
Buildable Acreage	588.70 Ac.	98.71%
Zoning - Existing A-1	Proposed - RPD-2	
Unit - 30,000 S.F. Min.	30.1 DU	
Density (Units / Buildable Acreage)	0.80 DU/Ac.	
Development Area	342.81 Ac.	57.67%
Open Space	243.89 Ac.	41.03%
Conservation Open Space	141.88 Ac.	23.86%
Park	85.15 Ac.	14.33%
Storm Water Management	81.10 Ac.	13.59%
Average Lot Size = 35,470 Sq. Ft.		
Lot Range = 30,000 Sq. Ft. - 64,802 Sq. Ft.		
TOTALS	381 DU.	594.39 Ac.
SUBSURROUNDING LAND USE AND ZONING		
Location	Adjacent Land Use	Adjacent Zoning
North	Agricultural / Residential	A-1, R-2
South	Agricultural	A-1
East	Agricultural	A-1
West	Agricultural	A-1

CRESTVIEW BUILDERS
4004 Falcon Drive
Naperville, Illinois 60564

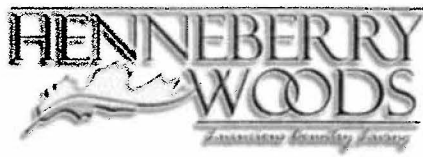


Moser Enterprises, Inc.
5th Avenue Station
300 East 5th Avenue
Naperville, Illinois 60540

SCHOPPE DESIGN ASSOCIATES
Landscape Architecture and Land Planning
126 S. MAIN STREET
OSWEGO, IL 60543
P/E (630) 551-3355
FAX (630) 551-3639

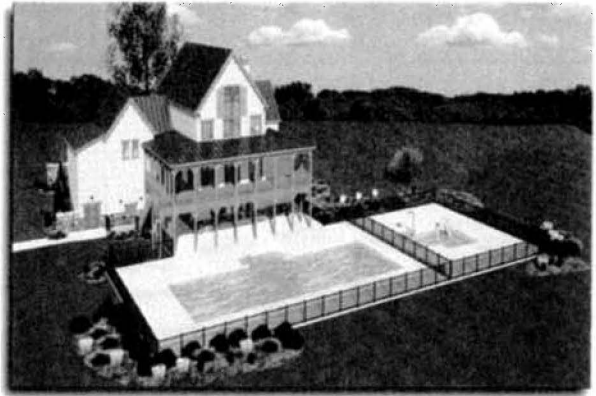


For more information, please call
(630) 420-3000
or visit us at HenneberryWoods.com



Community Highlights

Henneberry Woods will feature a centrally located aquatic center and clubhouse. The facility is planned to open in 2007 or 2008. The aquatic center is planned to have two swimming pools: a standard length lap/activity pool and a kiddie splash pool.



Over 240 acres of open space have been preserved for both active and passive recreational uses. That's 40% of open space! Major open space areas are connected to each other and to Oswego's regional north/south bike path system by an interconnected trail system.

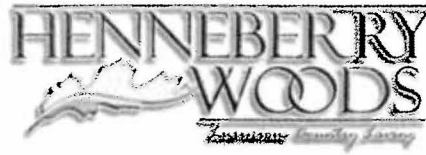


Henneberry Woods has homes in Oswego School District 308 and Yorkville School District 115 - both well respected. The early phases of Henneberry Woods are all located within Oswego School District 308.

Henneberry Woods is located in unincorporated Kendall County. Most services (building permits, life safety, etc.) are provided through the county rather than through an individual municipality. Library services will be provided by the Oswego Public Library. The Oswegoland Park District will also service this community.



*For more information, please call
(630) 420-3000
or visit us at HenneberryWoods.com*



Frequently Asked Questions

ARE THERE ARCHITECTURAL REVIEW GUIDELINES IN PLACE FOR HENNEBERRY WOODS ?

In order to create an attractive, harmonious residential development with continuing appeal, architectural controls have been established for this community. Prior to any construction, a buyer shall be required to obtain written architectural approval of their plans from the Architectural Review Committee. No building or structure may be constructed without prior written approval.

These architectural guidelines are included in Henneberry's Covenants which are available in their entirety under the "Community" drop-down menu located at the top of the Henneberry Woods web page. The covenants cover the following issues regarding the construction of your home:

Square footage	Width	Sidyard Setbacks	Design
Landscape/Pools/Driveways	Accessory Structures		

WILL THERE BE A HOMEOWNER'S ASSOCIATION AT HENNEBERRY WOODS ?

Henneberry Woods will turn over the common areas and clubhouse facilities to the Homeowner's Association when there are enough residents to support the HOA. Once the association has been turned over, the HOA will be responsible for collecting dues from its residents which will cover general maintenance and upkeep of the common areas. Maintenance of the land dedicated to the park district will not be an HOA responsibility.

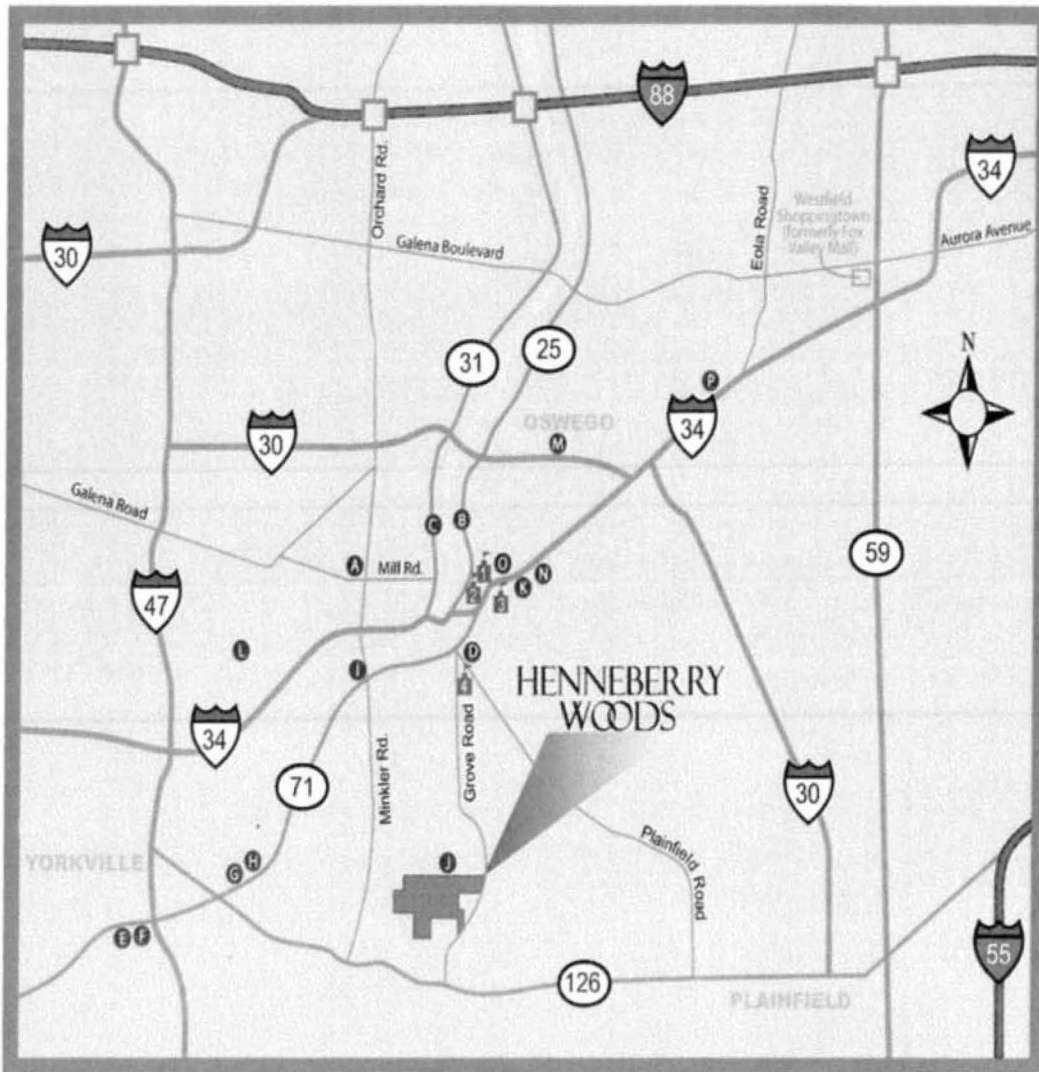
CAN I (AS A FUTURE RESIDENT) BUY A LOT FROM THE DEVELOPER AND HIRE MY OWN BUILDER TO CONSTRUCT MY CUSTOM HOME ?

At this point, lots in Henneberry Woods are only being sold directly to builders. Several premium custom home builders have been selected to participate in this development (select the "Homes" drop-down menu at the top of Henneberry Woods web page for a complete listing of participating builders).

*For more information, please call
(630) 420-3000
or visit us at HenneberryWoods.com*

Directions

Henneberry Woods is tucked away in the beautiful countryside of Kendall County. This exclusive community is located in Na-Au-Say Township 1.5 miles north of Route 126 on Grove Road (in the Oswego/Yorkville area).



Schools

- 1 Yorkville Elementary School
- 2 Fraidley Junior High School
- 3 Oswego High School
- 4 Future Henneberry School and Community Park - 2011

Transportation

- A RTA Bus Stop

Forest Preserves/Parks

- B Oak Center Park and Pond
- C Bush Launch-Away
- D Prairie Woods Community Center
- E Kendall County Fair Grounds
- F Oak Forest Preserve
- G Orchard Woods Forest Preserve
- H Oak Hills
- I Oak Hill Farm
- J Rockledge Park
- K Oak Bend Golf Course
- L Buckhorn Oaks Golf Course

Shopping

- M Oak Center Shopping Center - Target
- N Oswego Commons Shopping Center - Target
- O Home Depot, Dominos
- P A sign with Deer Head

Medical

- P Oswego Health Hospital and All of Forest Center
- Oswego Public Library
- Post Office

*Artist rendering - provided for geographical reference only

www.HenneberryWoods.com

KENDALL COUNTY FOREST PRESERVE DISTRICT

110 WEST MADISON STREET

YORKVILLE IL 60560

630 553-4025

May 26, 2010

EXHIBIT G

Dan Kramer
1107A South Bridge Street
Yorkville IL 60560

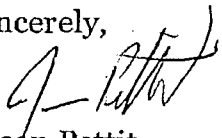
RE: Henneberry

Dear Mr. Kramer:

The Kendall County Forest Preserve District agrees to take ownership of a trail corridor in Lot M of Henneberry Woods subject to the owner/developer installing an asphalt trail and split rail fencing as agreed upon by the parties. The Forest Preserve District concurs with the Oswegoland Park District that the owner/developer will construct the asphalt trail from the north-south open space corridor that is being dedicated to the OPD, west to the property that is being purchased by the Forest Preserve District.

Please let me know if you require any additional information.

Sincerely,


Jason Pettit
Director

CC: Angela Zubko, PBZ

