
ORDINANCE NO. 2024-25-09

***An Ordinance Accepting the Roadway
Commonly Known as Sunnyside Beach Drive
in the Village of Johnsburg, Illinois***

AN ORDINANCE PASSED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG
AT A REGULAR MEETING ON OCTOBER 15, 2024
PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG

President

Edwin P. Hettermann

Board of Trustees

Beth Foreman
Mike Fouke
Josh Hagen
Greg Klemstein
Jamie Morris
Scott Letzter

Village Administrator

Claudett Sofiakis

ORDINANCE NO. 2024-25-09

An Ordinance Accepting the Roadway Commonly Known as Sunnyside Beach Drive in the Village of Johnsburg, Illinois

WHEREAS, Sunnyside Beach Drive was a privately maintained road; and

WHEREAS, residents residing and/or owning property on Sunnyside Beach Drive (the “Residents”) desired to upgrade Sunnyside Beach Drive (the “Road”) in accordance with public road standards so that the Village of Johnsburg (the “Village”) could accept the Road and take over future maintenance of same; and

WHEREAS, the Residents petitioned the Village to establish a Special Service Area for the cost of the Road improvements; and

WHEREAS, the Village approved Ordinance 20-21-41 Establishing Village of Johnsburg Special Service Area 33 on April 20, 2021 in response to the Resident’s petition;

WHEREAS, the Village approved Ordinance 20-21-42 Providing for the Issuance of Special Service Area Bonds to fund the project; and

WHEREAS, on May 2, 2023, the Village awarded the road construction project to Lenny Hoffmann Excavating (the “Contractor”); and

WHEREAS, on September 17, 2024, the Village acknowledged the completion of the improvements in accordance with public road standards and authorized final payment to the Contractor; and

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Johnsburg, McHenry County, Illinois, as follows:

SECTION 1: The Village hereby accepts the Road as depicted in Exhibit A commonly known as Sunnyside Beach Drive and legally described as follows;

That part of the Northwest and Northeast Quarters of Section 18, Township 45 North, Range 9 East of the Third Principal Meridian described as follows: Beginning at the most Northerly corner of Lot 1 in Sunnyside Beach Subdivision, according to the plat thereof recorded October 2, 1916 as Document No. 36512; thence South 59 degrees 05 minutes 00 seconds West along the Southerly line of Sunnyside Beach Drive per Document No. 36512, a distance of 476.77 feet to the Easterly extension of the Southerly line of a Driveway as shown on the First Addition to Elam’s Four Mile Water, according to the plat thereof

recorded June 31, 1924 as Document No. 64619; thence South 88 degrees 42 minutes 15 seconds West along said Southerly line, 321.77 feet to the Northeast corner of Sunnyside Beach Drive per Document No. 64619; thence South 19 degrees 18 minutes 44 seconds West along the Easterly line of said Sunnyside Beach Drive, 119.84 feet; thence South 58 degrees 38 minutes 47 seconds West along the Southerly line of said Sunnyside Beach drive and the Westerly extension thereof, 299.39 feet to the Northwesterly extension of the Northeasterly line of Lot 11 in Elam's Four Mile Water, according to the plat thereof recorded August 27, 1920 as Document No. 48644; thence South 30 degrees 37 minutes 40 seconds East along said Northwesterly extension of the Northeasterly line of said Lot 11, a distance of 81.99 feet to a line 50.00 feet Northerly of and parallel with the Northerly line of Lots 11 through 18 in said Elam's Four Mile Water; thence South 58 degrees 21 minutes 39 seconds West along said parallel line, 99.50 feet; thence South 53 degrees 36 minutes 39 seconds West along said parallel line and the Southwesterly extension thereof, 407.05 feet to the Southerly line of Sunnyside Beach Drive per Document No. 2021R0015196; thence the following six (6) courses along said Southerly line of Sunnyside Beach Drive; 1) thence North 36 degrees 23 minutes 21 seconds West, 20.00 feet; 2) thence North 53 degrees 36 minutes 39 seconds East, 407.88 feet; 3) thence North 58 degrees 21 minutes 39 seconds East, 80.68 feet; 4) thence North 30 degrees 37 minutes 40 seconds West, 82.09 feet; 5) thence North 58 degrees 38 minutes 47 seconds East, 311.99 feet; 6) thence North 19 degrees 18 minutes 44 seconds East, 105.17 feet; thence North 01 degrees 17 minutes 45 seconds West, 60.00 to the Northerly line of Sunnyside Beach Drive per Document No. 362262; thence North 88 degrees 42 minutes 15 seconds East along said Northerly line, 246.07 feet; thence 158.77 feet Northeasterly along said Northerly line, being a curve to the left, having a radius of 307.11 feet, a chord bearing of North 73 degrees 53 minutes 37 seconds East and a chord length of 157.01; thence continuing along said Northerly line North 59 degrees 05 minutes 00 seconds East, 416.50 feet to the Southeast corner of Lot 13 in Thelen's Lakeview Subdivision, according to the plat thereof recorded April 24, 1957 as Document No. 362262; thence South 00 degrees 36 minutes 14 seconds West along the West line of the Northeast Quarter of said Section 18, 29.33 feet to the Northerly line of Sunnyside Beach Drive per Document Nos. 143096 and 136856; thence North 59 degrees 05 minutes 00 seconds East along said Northerly line, 319.88 feet to the Southeast corner of Lot 4 in Sunnyside Estates Unit 2, according to the plat thereof recorded December 4, 1939; thence South 30 degrees 55 minutes 00 seconds East, 13.00 feet to a line 13.00 feet Southerly of and parallel with said Northerly line of Sunnyside Beach Drive; thence North 59 degrees 05 minutes 00 seconds East along said parallel line, 982.92 feet; thence continuing along said parallel line North 46 degrees 14 minutes 48 seconds East, 330.51 feet to the Northeasterly line of said Sunnyside Beach Drive; thence South 43 degrees 45 minutes 12 seconds East along said Northeasterly line, 27.00 feet to the Southerly line of said Sunnyside Beach Drive; thence South 46 degrees 14 minutes 48 seconds West along said Southerly line, 333.55 feet; thence continuing along said Southerly line South 59 degrees 05 minutes 00 seconds West, 1,330.37 feet to the West line of said Lot 1 in Sunnyside Beach Subdivision; thence North 00 degrees 36 minutes 14 seconds East along said West line, 5.87 feet to the Point of Beginning, all in McHenry County, Illinois.

Excepting therefrom, That part of the Northwest and Northeast Quarters of Section 18, Township 45 North, Range 9 East of the Third Principal Meridian described as follows: Commencing at the Northwest corner of Lot 9 in Elam's Four Mile Water, according to the plat thereof recorded June 31, 1924 as Document No. 64619; thence South 58 degrees 38 minutes 47 seconds West along the Southwesterly extension of the Northerly line of said Lot 9, also being the Southerly line of Sunnyside Beach Drive as monumented and occupied, 99.39 feet to the Northwesterly extension of the Northeasterly line of Lot 11 in Elam's Four Mile Water, according to the plat thereof recorded August 27, 1920 as Document No. 48644, also being the Easterly line of Sunnyside Beach Drive as monumented and occupied; thence South 30 degrees 37 minutes 40 seconds East along said Easterly line, 61.03 feet to the Point of Beginning; thence continuing South 30 degrees 37 minutes 40 seconds East, 20.96 feet to a line 50.00 feet Northerly of and parallel with the Northerly line of Lots 11 through 18 in said Elam's Four Mile Water; thence South 58 degrees 21 minutes 39 seconds West along said parallel line, 99.47 feet; thence North 31 degrees 38

minutes 21 seconds West, 3.77 feet to a non-tangent curve; thence Northeasterly along a curve to the left, having a radius of 61.00 feet, a chord bearing of North 34 degrees 26 minutes 48 seconds East and a chord length of 40.05 feet, for an arc length of 40.81 feet to a non-tangent point; thence North 58 degrees 21 minutes 39 seconds East, 43.21 feet; thence North 30 degrees 37 minutes 40 seconds West, 14.53 feet; thence South 87 degrees 10 minutes 14 seconds East, 23.97 feet to the Point of Beginning, all in McHenry County, Illinois.

SECTION 2: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Voting Aye: Trustees Foreman, Fouke, Hagen, Klemstein, Letzter and Morris


Voting Nay: None

Abstain: None

Absent: None



APPROVED:


Village President Edwin P. Hettermann

ATTEST: 
Village Clerk Claudett Sofiakis

Passed: October 15, 2024

Approved: October 15, 2024

Published: October 15, 2024

PLAT OF DEDICATION

PARCEL 1 - LEGAL DESCRIPTION

THAT PART OF THE NORTHWEST AND NORTHEAST QUARTERS OF SECTION 18, TOWNSHIP 45 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST NORTHERLY CORNER OF LOT 1 IN SUNNYSIDE BEACH SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 2, 1916 AS DOCUMENT NO. 36512; THENCE SOUTH 59 DEGREES 05 MINUTES 00 SECONDS WEST ALONG THE SOUTHERLY LINE OF SUNNYSIDE BEACH DRIVE PER DOCUMENT NO. 36512, A DISTANCE OF 476.77 FEET TO THE EASTERLY EXTENSION OF THE SOUTHERLY LINE OF A DRIVEWAY AS SHOWN ON THE FIRST ADDITION TO ELAM'S FOUR MILE WATER, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 31, 1924 AS DOCUMENT NO. 64619; THENCE SOUTH 88 DEGREES 42 MINUTES 15 SECONDS WEST ALONG SAID SOUTHERLY LINE, 321.77 FEET TO THE NORTHEAST CORNER OF SUNNYSIDE BEACH DRIVE PER DOCUMENT NO. 64619; THENCE SOUTH 19 DEGREES 18 MINUTES 44 SECONDS WEST ALONG THE EASTERLY LINE OF SAID SUNNYSIDE BEACH DRIVE, 119.84 FEET; THENCE SOUTH 58 DEGREES 38 MINUTES 47 SECONDS WEST ALONG THE SOUTHERLY LINE OF SAID SUNNYSIDE BEACH DRIVE AND THE WESTERLY EXTENSION THEREOF, 299.39 FEET TO THE NORTHWESTERLY EXTENSION OF THE NORTHEASTERLY LINE OF LOT 11 IN ELAM'S FOUR MILE WATER, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 27, 1920 AS DOCUMENT NO. 48644; THENCE SOUTH 30 DEGREES 37 MINUTES 40 SECONDS EAST ALONG SAID NORTHWESTERLY EXTENSION OF THE NORTHEASTERLY LINE OF SAID LOT 11, A DISTANCE OF 81.99 FEET TO A LINE 50.00 FEET NORTHERLY OF AND PARALLEL WITH THE NORTHERLY LINE OF LOTS 11 THROUGH 18 IN SAID ELAM'S FOUR MILE WATER; THENCE SOUTH 58 DEGREES 21 MINUTES 39 SECONDS WEST ALONG SAID PARALLEL LINE, 99.50 FEET; THENCE SOUTH 53 DEGREES 36 MINUTES 39 SECONDS WEST ALONG SAID PARALLEL LINE AND THE SOUTHWESTERLY EXTENSION THEREOF, 407.05 FEET TO THE SOUTHERLY LINE OF SUNNYSIDE BEACH DRIVE PER DOCUMENT NO. 2021R0015196; THENCE THE FOLLOWING SIX (6) COURSES ALONG SAID SOUTHERLY LINE OF SUNNYSIDE BEACH DRIVE: 1) THENCE NORTH 36 DEGREES 23 MINUTES 21 SECONDS WEST, 20.00 FEET; 2) THENCE NORTH 53 DEGREES 36 MINUTES 39 SECONDS EAST, 407.88 FEET; 3) THENCE NORTH 58 DEGREES 21 MINUTES 39 SECONDS EAST, 80.68 FEET; 4) THENCE NORTH 30 DEGREES 37 MINUTES 40 SECONDS WEST, 82.09 FEET; 5) THENCE NORTH 58 DEGREES 38 MINUTES 47 SECONDS EAST, 311.99 FEET; 6) THENCE NORTH 19 DEGREES 18 MINUTES 44 SECONDS EAST, 105.17 FEET; THENCE NORTH 01 DEGREES 17 MINUTES 45 SECONDS WEST, 60.00 TO THE NORTHERLY LINE OF SUNNYSIDE BEACH DRIVE PER DOCUMENT NO. 362262; THENCE NORTH 88 DEGREES 42 MINUTES 15 SECONDS EAST ALONG SAID NORTHERLY LINE, 246.07 FEET; THENCE 158.77 FEET NORTHEASTERLY ALONG SAID NORTHERLY LINE, BEING A CURVE TO THE LEFT, HAVING A RADIUS OF 307.11 FEET, A CHORD BEARING OF NORTH 73 DEGREES 53 MINUTES 37 SECONDS EAST AND A CHORD LENGTH OF 157.01; THENCE CONTINUING ALONG SAID NORTHERLY LINE NORTH 59 DEGREES 05 MINUTES 00 SECONDS EAST, 416.50 FEET TO THE SOUTHEAST CORNER OF LOT 13 IN THELEN'S LAKEVIEW SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 24, 1957 AS DOCUMENT NO. 362262; THENCE SOUTH 00 DEGREES 36 MINUTES 14 SECONDS WEST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 18, 29.33 FEET TO THE NORTHERLY LINE OF SUNNYSIDE BEACH DRIVE PER DOCUMENT NOS. 143096 AND 136856; THENCE NORTH 59 DEGREES 05 MINUTES 00 SECONDS EAST ALONG SAID NORTHERLY LINE, 319.88 FEET TO THE SOUTHEAST CORNER OF LOT 4 IN SUNNYSIDE ESTATES UNIT 2, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 4, 1939; THENCE SOUTH 30 DEGREES 55 MINUTES 00 SECONDS EAST, 13.00 FEET TO A LINE 13.00 FEET SOUTHERLY OF AND PARALLEL WITH SAID NORTHERLY LINE OF SUNNYSIDE BEACH DRIVE; THENCE NORTH 59 DEGREES 05 MINUTES 00 SECONDS EAST ALONG SAID PARALLEL LINE, 982.92 FEET; THENCE CONTINUING ALONG SAID PARALLEL LINE NORTH 46 DEGREES 14 MINUTES 48 SECONDS EAST, 330.51 FEET TO THE NORTHEASTERLY LINE OF SAID SUNNYSIDE BEACH DRIVE; THENCE SOUTH 43 DEGREES 45 MINUTES 12 SECONDS EAST ALONG SAID NORTHEASTERLY LINE, 27.00 FEET TO THE SOUTHERLY LINE OF SAID SUNNYSIDE BEACH DRIVE; THENCE SOUTH 46 DEGREES 14 MINUTES 48 SECONDS WEST ALONG SAID SOUTHERLY LINE, 333.55 FEET; THENCE CONTINUING ALONG SAID SOUTHERLY LINE SOUTH 59 DEGREES 05 MINUTES 00 SECONDS WEST, 1,330.37 FEET TO THE WEST LINE OF SAID LOT 11 IN SUNNYSIDE BEACH SUBDIVISION; THENCE NORTH 00 DEGREES 36 MINUTES 14 SECONDS EAST ALONG SAID WEST LINE, 5.87 FEET TO THE POINT OF BEGINNING, ALL IN MCHENRY COUNTY, ILLINOIS. EXCEPTING THEREFROM.

THAT PART OF THE NORTHWEST AND NORTHEAST QUARTERS OF SECTION 18, TOWNSHIP 45 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF LOT 9 IN ELAM'S FOUR MILE WATER, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 31, 1924 AS DOCUMENT NO. 64619; THENCE SOUTH 58 DEGREES 38 MINUTES 47 SECONDS WEST ALONG THE SOUTHWESTERLY EXTENSION OF THE NORTHERLY LINE OF SAID LOT 9, ALSO BEING THE SOUTHERLY LINE OF SUNNYSIDE BEACH DRIVE AS MONUMENTED AND OCCUPIED, 99.39 FEET TO THE NORTHWESTERLY EXTENSION OF THE NORTHEASTERLY LINE OF LOT 11 IN ELAM'S FOUR MILE WATER, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 27, 1920 AS DOCUMENT NO. 48644, ALSO BEING THE EASTERLY LINE OF SUNNYSIDE BEACH DRIVE AS MONUMENTED AND OCCUPIED; THENCE SOUTH 30 DEGREES 37 MINUTES 40 SECONDS EAST ALONG SAID EASTERLY LINE, 61.03 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 30 DEGREES 37 MINUTES 40 SECONDS EAST, 20.96 FEET TO A LINE 50.00 FEET NORTHERLY OF AND PARALLEL WITH THE NORTHERLY LINE OF LOTS 11 THROUGH 18 IN SAID ELAM'S FOUR MILE WATER; THENCE SOUTH 58 DEGREES 21 MINUTES 39 SECONDS WEST ALONG SAID PARALLEL LINE, 99.47 FEET; THENCE NORTH 31 DEGREES 38 MINUTES 21 SECONDS WEST, 3.77 FEET TO A NON-TANGENT CURVE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 61.00 FEET, A CHORD BEARING OF NORTH 34 DEGREES 26 MINUTES 48 SECONDS EAST AND A CHORD LENGTH OF 40.05 FEET, FOR AN ARC LENGTH OF 40.81 FEET TO A NON-TANGENT POINT; THENCE NORTH 58 DEGREES 21 MINUTES 39 SECONDS WEST, 1,330.37 FEET TO THE WEST LINE OF SAID LOT 11 IN SUNNYSIDE BEACH SUBDIVISION; THENCE SOUTH 87 DEGREES 10 MINUTES 14 SECONDS EAST, 23.97 FEET TO THE POINT OF BEGINNING, ALL IN MCHENRY COUNTY, ILLINOIS.

BOARD OF TRUSTEE'S APPROVAL

STATE OF ILLINOIS)
) S.S.
 COUNTY OF MCHENRY)

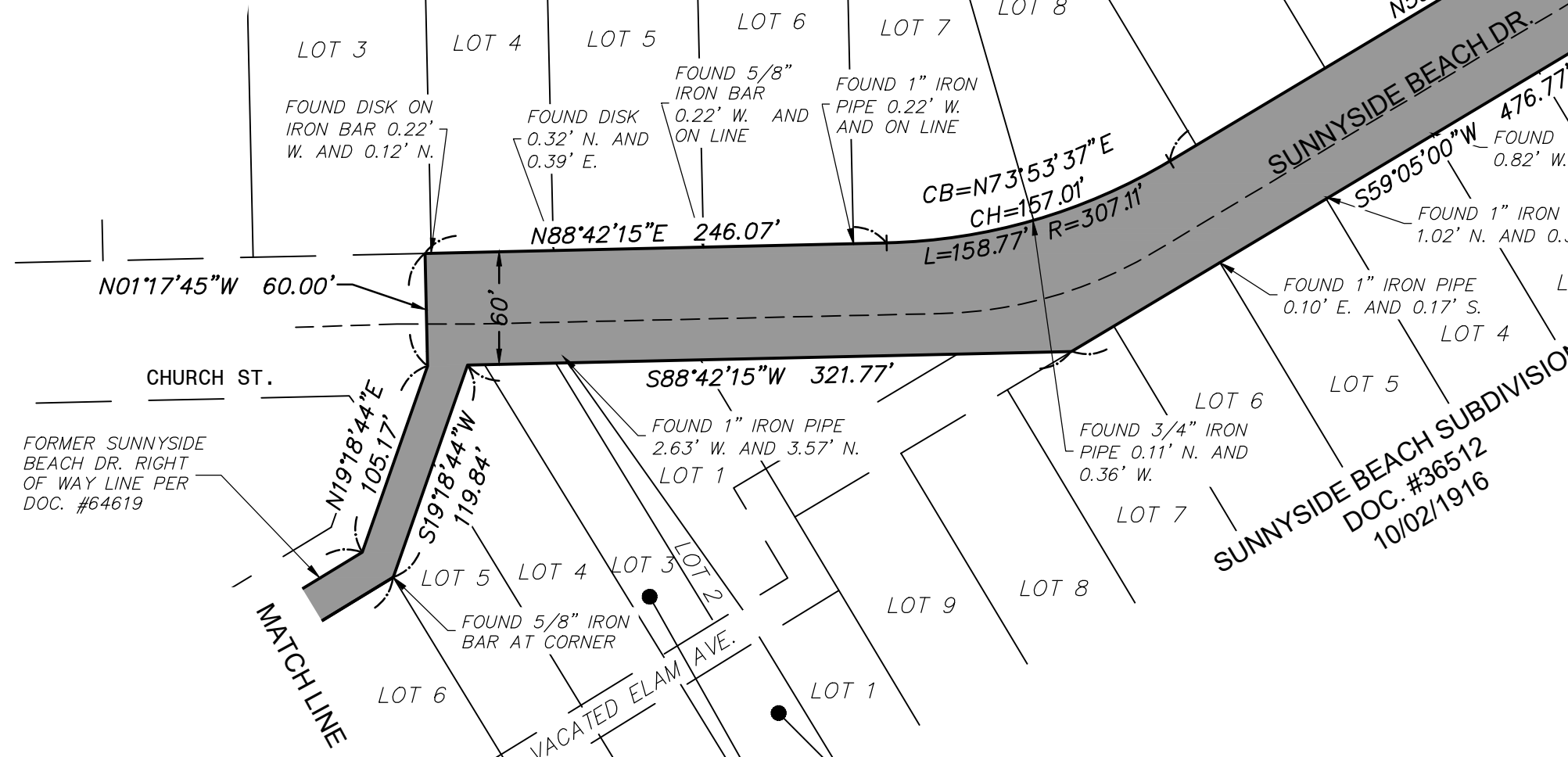
THIS PLAT OF DEDICATION SHOWN HEREON IS HEREBY APPROVED BY THE VILLAGE OF JOHNSBURG, ILLINOIS AT A MEETING HELD ON THE _____ DAY OF _____, 20____

VILLAGE PRESIDENT _____

ATTEST: _____
 VILLAGE CLERK

NOTE:
 REFER TO VILLAGE OF JOHNSBURG
 ORDINANCE _____ FOR DETAILS

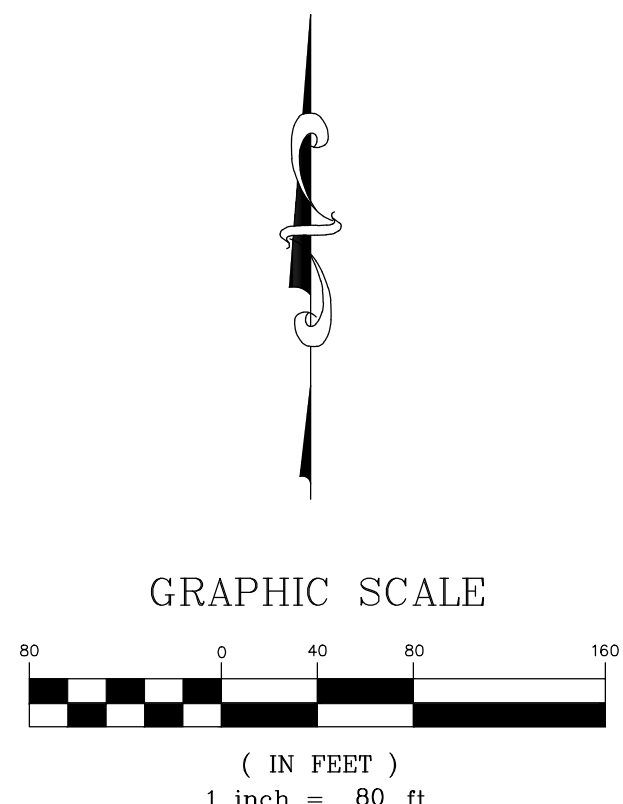
THELEN'S LAKE VIEW SUBDIVISION
 DOC. #362262
 04/24/1957



NOTES:
 • Basis of bearings for this survey, ILS PC EAST ZONE (NAD83-2011)
 • No distance should be assumed by scaling.
 • No underground improvements have been located unless shown and noted.
 • No representation as to ownership, use, or possession should be hereon implied.
 • This Survey and Plat of Survey are void without seal and signature affixed.
 • Field work for this survey was completed on 05/24/19.
 • This professional service conforms to the current Illinois minimum standards for a boundary survey and was performed for: THE VILLAGE OF JOHNSBURG

Compare your description and site markings with this plat and AT ONCE report any discrepancies which you may find.

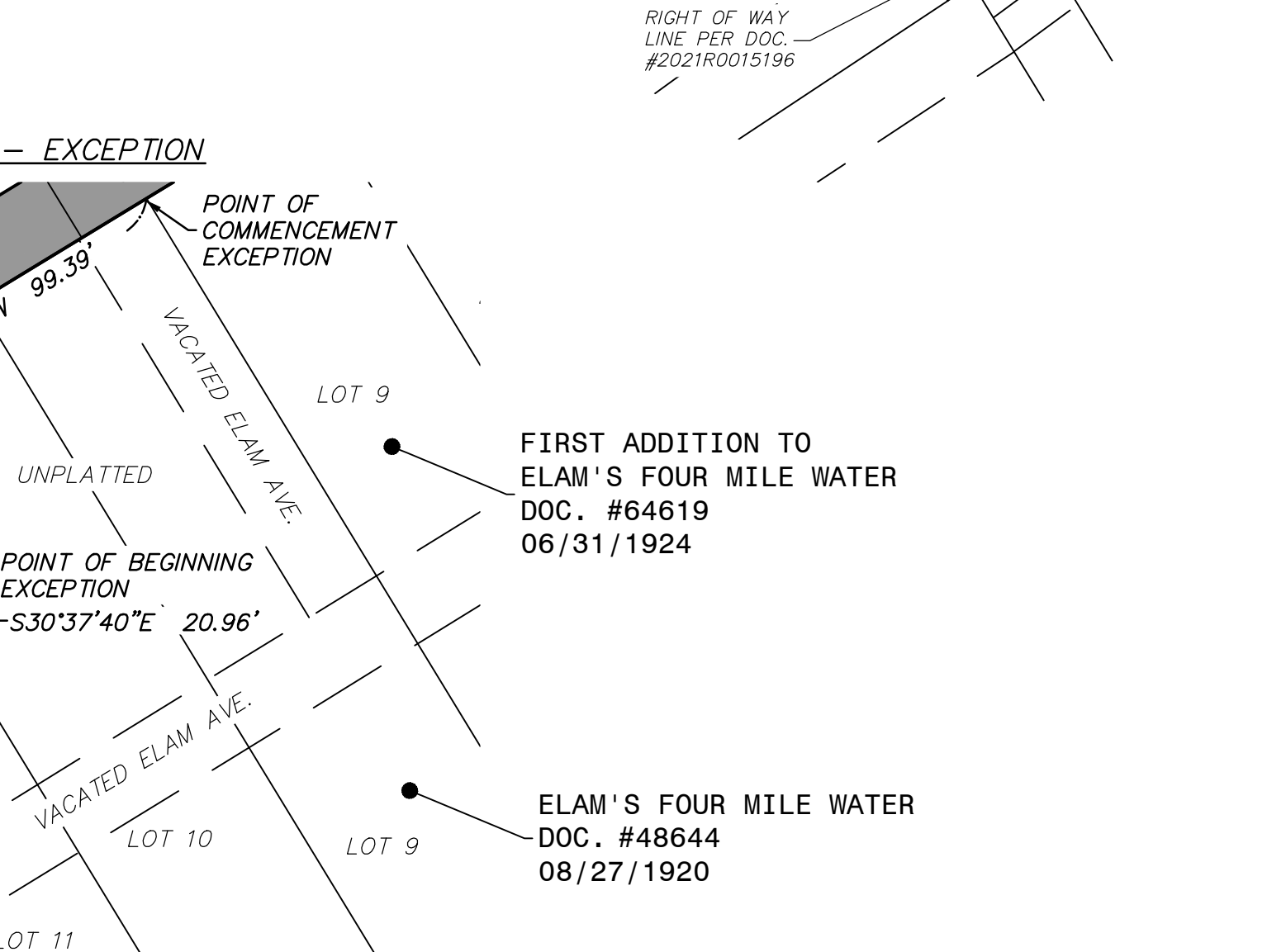
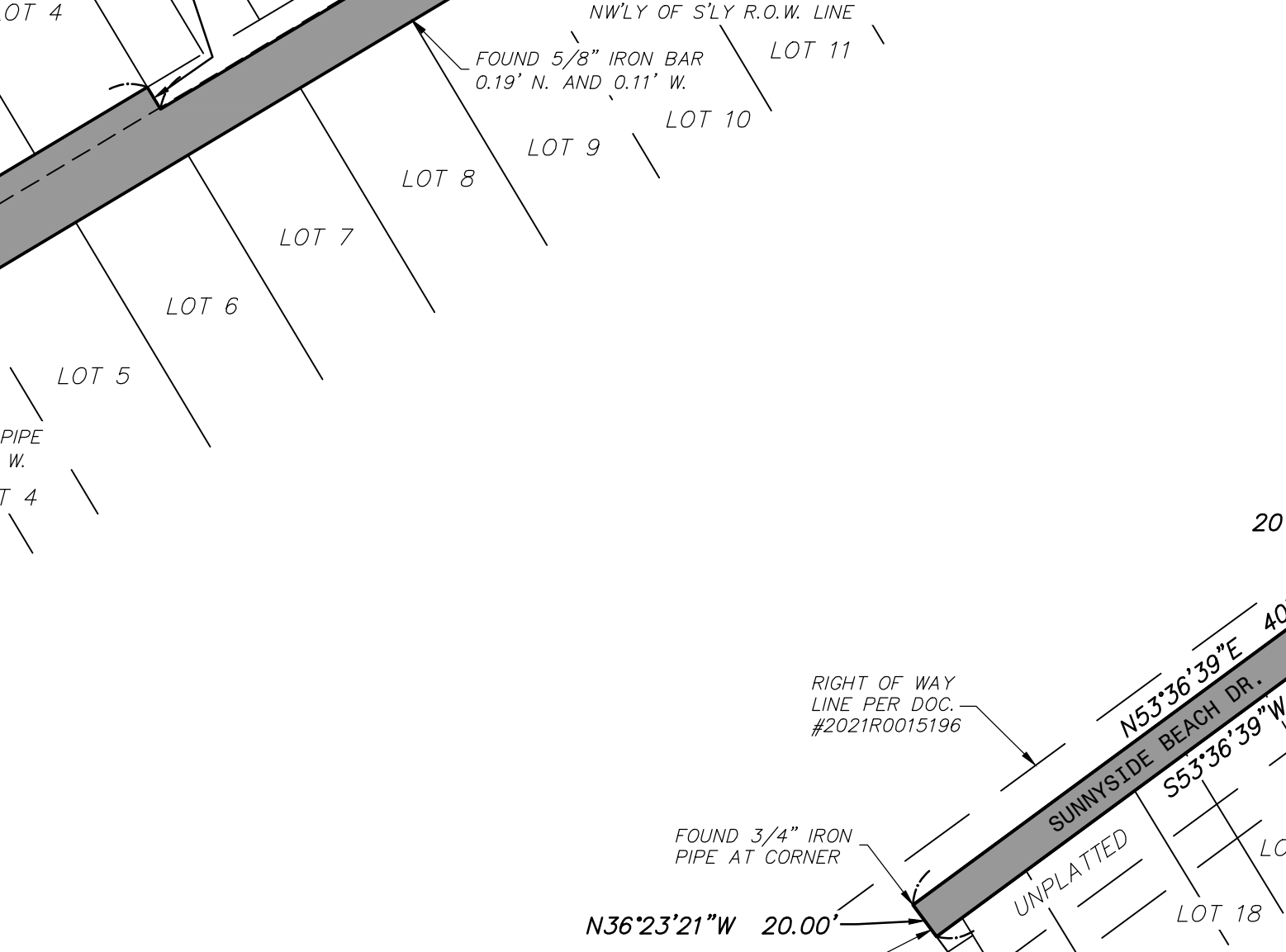
11/8/2024 12:22:15 PM
 J:\2024\2402803\Survey\Dwg\2402803_survey.dwg



SUNNYSIDE ESTATES
 DOC. #136856
 01/23/1939

SUNNYSIDE ESTATES UNIT 2
 DOC. #143096
 12/04/1939

MAY'S SUBDIVISION
 DOC. #23500
 10/10/1912



RIGHT OF WAY AREA NOTE
 HEREBY CONVEYED IN FEE SIMPLE RIGHT OF WAY
 AREA: 116,931± SF. OR 2.684± AC.

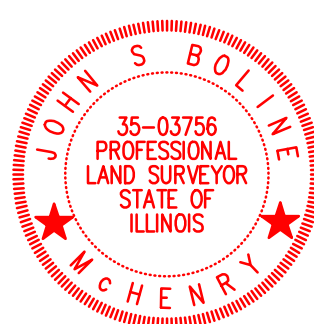
SURVEYOR'S CERTIFICATE
 STATE OF ILLINOIS)
) S.S.
 COUNTY OF MCHENRY)

THIS IS TO CERTIFY THAT THE PLAT OF RIGHT OF WAY DEDICATION HEREON DRAWN WAS PREPARED USING PREVIOUS SURVEY INFORMATION AND MAPS, PLATS AND OTHER INSTRUMENTS OF RECORD FOR THE USES AND PURPOSES HEREIN SET FORTH, OF THE HEREON DESCRIBED PROPERTY.

DATED AT MCHENRY, MCHENRY COUNTY, ILLINOIS ON OCTOBER 15, 2024.

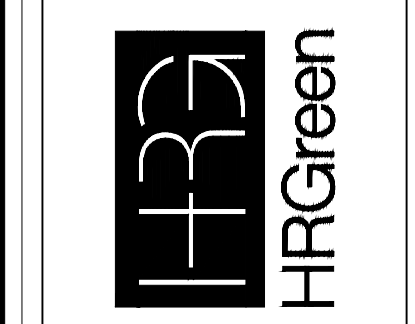
John S. Boline

JOHN S. BOLINE (EMAIL: JBOLINE@HARGREEN.COM)
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3756
 LICENSE EXPIRES: NOVEMBER 30, 2024



NO.	DATE	BY	REVISION DESCRIPTION
1	10/07/24	JB	REVISED DEDICATION LIMITS
2	10/15/24	JB	REVISED PER VILLAGE COMMENTS

Illinois Professional Design Firm # 194-001322
 1991 Corporate Drive | Suite 203,
 McHenry, IL 60050-2136
 t. 815.385.1778 f. 815.385.1781
 www.hrgreen.com



PLAT OF DEDICATION
 SUNNYSIDE BEACH DRIVE
 VILLAGE OF JOHNSBURG
 MCHENRY COUNTY, ILLINOIS

BAR IS ONE INCH ON
 OFFICIAL DRAWINGS
 1" = 80'
 IF NOT ONE INCH,
 ADJUST SCALE ACCORDINGLY

DRAWN BY: CR/JB
 APPROVED: MD
 JOB DATE: 07/10/2024
 JOB NO: 2402803

SHEET
EXHIBIT A

CERTIFICATION

I, CLAUDETT SOFIAKIS, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Johnsburg, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Johnsburg.

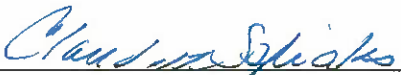
I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Johnsburg, held on the 15th day of October, 2024, the foregoing Ordinance entitled *An Ordinance Accepting the Roadway Commonly Known as Sunnyside Beach Drive in the Village of Johnsburg*, was duly passed by the President and Board of Trustees of the Village of Johnsburg.

The pamphlet form of Ordinance No. 2024-25-09, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was available in the Village Hall, commencing on the 15th day of October, 2024, and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and seal of the Village of Johnsburg, this 15th day of October, 2024.





Claudett Sofiakis, Village Clerk
Village of Johnsburg,
McHenry County, Illinois