

**MCHENRY COUNTY CONSERVATION DISTRICT
RESOLUTION #15-14**

**AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO WYNSTONE HILLS
SUBDIVISION ANNEXATION AND DEVELOPMENT AGREEMENT
BETWEEN THE VILLAGE OF CARY, DANIEL AND MONIKA BERTONI AND
THE MCHENRY COUNTY CONSERVATION DISTRICT
RELATED TO THE PROPOSED DAY CARE CENTER (KIDS R KIDS ACADEMY)
ADJACENT TO THE FEL-PRO RRR CONSERVATION AREA**

WHEREAS, the McHenry County Conservation District (hereinafter referred to as the "District"), is a conservation district organized and existing under the laws of the State of Illinois (70 ILCS 410); and

WHEREAS, the District purchased property known as the Detrana Fen Parcel which is part of the Fel-Pro RRR Conservation area in July of 2007 from the developer of the Wynstone Hills Subdivision which borders a remainder parcel called the Wynstone Hills Subdivision parcel; and

WHEREAS, the Village of Cary (hereinafter referred to as the "Village") organized and existing under the laws of State of Illinois, had annexed the Wynstone Hills Subdivision parcel through the Wynstone Hills Subdivision Annexation and Development Agreement on September 5, 2006; and

WHEREAS, Daniel and Monika Bertoni have proposed a day care center on the subject property which requires a conditional use and an amendment to the terms of the original Annexation and Development Agreement; and

WHEREAS, the District has voiced concerns related to potential negative impact of the proposed development which have been shared with the developers and the Village of Cary in the form of a letter dated January 22, 2015 and another letter dated February 13, 2015 which includes a Storm Water Management Covenant; and

WHEREAS, the parties hereto have determined that it is in the best interest of the public for the District to cooperatively work with all parties through the execution of a First Amendment to the Wynstone Hills Subdivision Annexation and Development Agreement and related documents, which will be attached and made a part of this Resolution once final wording is agreed upon.

NOW, THEREFORE BE IT RESOLVED, by the Board of Trustees of the District that it is necessary, desirable, and in the best interest of the District to execute the First Amendment to the Wynstone Hills Subdivision Annexation and Development Agreement, and the President and Secretary of the Board of Trustees are hereby authorized to execute this resolution and the President, Secretary and/or Executive Director are authorized to execute said Agreement and other necessary documents to execute the intent of this resolution.

IN WITNESS WHEREOF, this Resolution #15-14 has been executed this 19th day of February, 2015, by the President and attested by the Secretary of the Board of Trustees of the District.

Ayes: 5

Nays: 0

Absent: 2

Abstain: 0



**DAVID BRANDT, PRESIDENT
BOARD OF TRUSTEES**



**BRANDON THOMAS, SECRETARY
BOARD OF TRUSTEES**