

Pouley Road Corridor Management Plan



**Kane County Development Department
&
Kane County Division of Transportation**



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Introduction

The purpose of the Rustic Roads Program, adopted by the Kane County Board in July 2000, is to preserve and enhance Kane County's rural character while incorporating new development and transportation needs as subtly as possible. Roadside land is often the first and most visible land to be converted to residential or commercial uses. Kane County has taken the lead in establishing the Rustic Roads Program to protect some of its rural roads and scenic vistas for future generations.

A Rustic Road Corridor is a type of preservation district in which the geographic area is identified within a nominated or designated road. The road corridor minimally includes the area within the right-of-way including the road pavement, any structures such as bridges and signs, shoulders and vegetation, and may also include: 1) all or portions of adjoining properties, 2) features located on adjoining property such as buildings, structures, or vegetation, 3) potential conservation easements or other easements that would protect scenic vistas and viewsheds, and/or 4) existing easements protecting privately owned drives or lanes.

Through coordination with the property owners within and adjacent to the road corridor, a Corridor Management Plan is developed which defines the significant features of the corridor that should be protected and enhanced. Traffic and life safety issues continue to be addressed while those features are preserved. The Rustic Roads Program seeks to promote:

- ❖ **A Sense of Place**, by preserving community identity and quality of life.
- ❖ **Resource preservation**, by protecting the significant scenic, natural and historic resources within road corridors.
- ❖ **Recreation**, by providing enjoyment for those who drive for pleasure and sightseeing the Rustic Road Program ensures that scenic views will always be preserved.
- ❖ **Economic development**, by generating tourist revenue through the promotion of the scenic beauty of the county.

Pouley Road is one of the oldest roads in Kane County and has remained relatively unchanged. The goals in gaining Rustic Road designation for Pouley Road are to preserve the natural, agricultural and manmade features of the road. Recognized as a corridor that exhibits the agricultural and rural heritage of Kane County, Pouley Road should be managed in a manner that respects its features. Residents of Pouley Road developed the Corridor Management Plan with assistance from staff of the Kane County Development Department and the Kane County Division of Transportation. The purpose of the plan is to set out design criteria that will help to ensure that the goals of the designation are understood and accomplished.

Intrinsic Quality Inventory

The Pouley Road Corridor exhibits many of the qualities that the Rustic Road program seeks to preserve. This road's features include the following:



Pouley Road features tree canopies



Views of Johnson's Mound



Blackberry Creek Farm, a Kane County Landmark



Pouley Estate, also a Kane County Landmark



Views of Blackberry Creek watershed



The area supports diverse types of wildlife

(Photos were taken and provided by Jan Jorstad and Janine Baumgartner)

Vision Statement, Goals and Objectives

Vision Statement:

Pouley Road, one of the oldest roads in Kane County, has maintained its rural character and charm throughout the years. Recognized as a corridor that still exhibits the agricultural and rural heritage of Kane County, Pouley Road is to be managed in a manner that respects its natural beauty, rustic charm and this heritage including its gravel road bed, the gentle curves and hills, the tree canopies at both the north and south ends, and the numerous view sheds. All of these features make Pouley Road a significant rural corridor for the newly burgeoning development in Elburn and Blackberry Township. Our vision for Pouley Road is to maintain a quiet rural corridor where residents and visitors slow their pace and enjoy the quiet and peace of the road, where the abundant birdlife and wildlife are safe from speeding traffic, and where people feel safe while strolling, cycling, or horseback riding and experiencing the scenic, natural, and historical qualities of Pouley Road.

Goals and Objectives:

Goal #1: Maintain and preserve the rural and natural heritage that exists along the roadway.

Objective #1: Preserve mature trees.

Objective #2: Preserve viewsheds along the roadway.

Objective #3: Identify and preserve features that add to the rural and natural heritage of the roadway.

Goal #2: Preserve the agricultural heritage of the roadway.

Objective #1: Maintain and preserve existing agricultural land.

Objective #2: Integrate new agricultural structures and uses in a manner that maintains the rural character.

Goal #3: Preserve historic structures along the roadway.

Objective #1: Identify and preserve farmsteads, homes, and barns.

Goal #4: Provide information on the scenic, natural, and historical qualities of the roadway to both visitors and property owners.

Objective #1: Provide information from the Corridor Management Plan on the County website.

Objective #2: Develop a pamphlet listing and describing the inventory of features along the roadway.

Goal #5: Maintain and administer the roadway to preserve the above qualities while providing for safe public travel.

Objective #1: Identify potential safety concerns along the roadway.

Objective #2: Address safety concerns in a manner that has the least impact on the road corridor and/or enhances the scenic and natural qualities while providing the most benefit to motorists.

Enhancement Strategies for Significant Features Along Pouley Road

The following outlines the features of Pouley Road, from Keslinger Road to Hughes Road, protected by this Corridor Management Plan (CMP). Any alterations to these features, or new construction, will require a Certificate of Appropriateness (COA) from the Historic Preservation Commission (HPC). Additional enhancement strategies, such as conservation easements, landmark designation or purchase of development rights may also be employed to further enhance the CMP. These strategies are described in further detail on the Definitions page.

Feature #1 Pouley Estate

Conrad and Greta Knickerbocker 09N955 Pouley Road 11-09-100-002, 11-09-200-007

Objective: Preserve the existing tree canopy on the east and west sides of the road.

Adopted Preservation Strategies: Maintain wooded area and open space. Any new construction should be built with the least impact to the site.

Activities Requiring a Certificate of Appropriateness:

- Removal of healthy trees.
- New construction.
- New road access points.
- Change in grade, zoning or use.

Maintenance: Tree trimming on the one to three year schedule to minimize size of areas trimmed.

Recommended Additional Preservation Strategies: Conservation Easement.

Feature #2 View of Blackberry Creek Watershed

Forest Preserve District of Kane County (No Address) 11-09-200-017

Objective: Preserve viewshed of Blackberry Creek looking east from Pouley Rd.

Adopted Preservation Strategies: No structures should be built within the viewshed.

Activities Requiring a Certificate of Appropriateness:

- New construction within the setback. (Area identified on CMP map)
- New road access points.
- Change in grade, zoning or use.

Maintenance: Includes tree thinning, removal of invasive trees, invasive species control, removal of disease infested trees, planting new trees and natural area restoration.

Recommended Additional Preservation Strategies: Conservation Easement.

Feature #3 Open Space, Crabapple Trees and View of Blackberry Watershed.

Robin Ulrich 0N575 Pouley Rd. 11-09-200-009, 11-09-200-010, 11-09-400-010

Objective: Preserve open space, crabapple trees and view of Blackberry Creek watershed looking east from Pouley Rd.

Adopted Preservation Strategies: Maintain a 20-foot setback from the right-of-way.

Maintain any crabapple trees within the 20-foot setback. Any new construction should be built in a manner with the least impact to the viewshed of Blackberry Creek.

Activities Requiring a Certificate of Appropriateness:

- New construction within the 20-foot setback from the right-of-way.

- Removal of healthy crabapple trees within the 20-foot setback from the right-of-way.
- New road access points.
- Change in grade, zoning or use.

Maintenance: Maintain property in good condition.

Recommended Additional Preservation Strategies: Conservation Easement.

Feature #4 Crabapple trees, open space and farmland

Kane County Forest Preserve District (No Address) 11-09-400-012

Objective: Preserve open space and farmland looking east from Pouley Rd.

Adopted Preservation Strategies: Preserve trees and maintain open space. *Activities*

Requiring a Certificate of Appropriateness:

- Removal of healthy trees unless they are replaced by native trees.
- New construction within the setback.(Area identified on the CMP map)
- New road access points.
- Change in grade, zoning or use.

Maintenance: Includes tree thinning, removal of invasive trees, invasive species control, removal of disease infested trees, planting new trees, cutting trees (native and non-native), and natural area restoration.

Recommended Additional Preservation Strategies: Conservation Easement.

Feature #5 View of Blackberry Creek Farm

Kit Compton 0N367 Pouley Road 11-09-400-011

Objective: Preserve view of Blackberry Creek Farm looking east from Pouley Rd.

Adopted Preservation Strategies: Maintain a 20-foot setback from the right-of-way. Any new construction should be built with the least impact to the view of the residence and barn.

Activities Requiring a Certificate of Appropriateness:

- New construction within the 20-foot setback from the right-of-way.
- New road access points.
- Change in grade, zoning or use.

Maintenance: Trimming on the one to three year schedule to minimize size of areas trimmed.

Recommended Additional Preservation Strategies: Conservation Easement.

Feature #6 Wooded Area

Dan Otto and Jan Jorstad 0N169 Pouley Road 11-09-400-009

Objective: Preserve existing wooded area looking east from Pouley Rd.

Adopted Preservation Strategies: Do not cut down healthy native trees within the 200-foot setback.

Activities Requiring a Certificate of Appropriateness:

- Removal of healthy native trees within the 200-foot setback.
- New construction within the 200-foot setback.
- New road access points.
- Change in grade, zoning or use.

Maintenance: Tree trimming on the one to three year schedule to minimize size of areas trimmed.

Recommended Additional Preservation Strategies: Conservation Easement.

Feature # 7 Open space and view of Johnson’s Mound

Kane County Forest Preserve District (no address) 11-09-400-008, 11-16-200-001, 11-16-100-011

Objective: Preserve wooded area, open space, old elm tree next to the road and viewshed of Johnson’s Mound looking east from Pouley Rd.

Adopted Preservation Strategies: Maintain wooded area and open space. New construction should be built with the least impact to the open space and viewshed of Johnson’s mound.

Activities Requiring a Certificate of Appropriateness:

- New construction within the setback. (Area identified on CMP map)
- New road access points
- Removal of healthy elm tree
- Change in grade, zoning or use.

Maintenance: Maintain in natural state, clearing only to provide for continued healthy growth, which can include prescribed burns, cut trees (native and non-native), and planting trees.

Recommended Additional Preservation Strategies: Conservation Easement.

Feature #8 Wooded Area

Judith Bergman 42W668 Pouley Rd. 11-16-100-021

Objective: Preserve the wooded area looking west from Pouley Rd.

Adopted Preservation Strategies: Preserve wooded area within a 30-foot setback. New construction should be built behind the 30-foot setback and in a manner with the least impact to the wooded area.

Activities Requiring a Certificate of Appropriateness:

- New construction within the 30-foot setback.
- New road access points
- Change in grade, zoning or use.

Maintenance: Maintain in natural state, clearing diseased trees only to provide for continued healthy growth.

Recommended Additional Preservation Strategies: Conservation Easement.

Adjacent Features and Properties

The following features are not officially part of the Corridor Management Plan, but are adjacent to and will impact the corridor. The following activities listed under recommendation and review by the Historic Preservation Commission may be initiated voluntarily by the property owner or as a part of the review process for changes in zoning or land use.

View of ponds

L.B. Andersen & Co. Inc./Blackberry 14 LLC (No Address) 11-09-100-013,
11-09-200-004,11-09-400-013,11-09-401-001

Objective: Preserve views of ponds looking west from Pouley Rd.

Adopted Preservation Strategies: Maintain a 20-foot setback from the right-of-way. Any new construction should be built with the least impact to the view of the ponds.

Activities Requiring a Certificate of Appropriateness:

- New construction within the 20-foot setback from the right-of-way.
- New road access points.
- Change in grade, zoning or use.

Maintenance: Maintain property in good condition.

Recommended Additional Preservation Strategies: Conservation Easement.

Open space, wooded area, historic house and barn

Kathy Bergold 42W566 Pouley Road 11-16-100-012

Objective: Preserve open space, wooded areas, historic house and barn looking west from Pouley Road.

Recommended Preservation Strategies: Do not remove healthy native trees, maintain open space, and preserve historic house and barn and views to them.

Activities for review and recommendation by the Historic Preservation Commission:

- Removal of healthy native trees.
- New construction.
- New road access points.
- Change in grade, zoning or use.

Maintenance: Tree trimming on the one to three year schedule to minimize size of areas trimmed.

Recommended Additional Preservation Strategies: Conservation Easement.

Wooded Area and wildflowers

Vincent Aragona 42W642 Pouley Rd. 11-16-100-003

Objective: Preserve wooded area and natural flora looking west from Pouley Rd.

Adopted Preservation Strategies: Maintain wooded area and natural flora within a 20-foot setback. New construction should be built with the least impact to the areas to be preserved.

Activities Requiring a Certificate of Appropriateness:

- New construction within the 20-foot setback.
- New road access points.
- Change in grade, zoning or use.

Maintenance: Maintain in natural state, clearing diseased trees only to provide for continued healthy growth.

Open space, farm field, Blackberry Creek

Old Second National Bank of Aurora (No address) 11-16-100-016

Objective: Preserve open space and Blackberry creek spur tributary looking east from Pouley Road.

Recommended Preservation Strategies: Maintain open space and no structures should be built that obstruct the view of Blackberry Creek tributary.

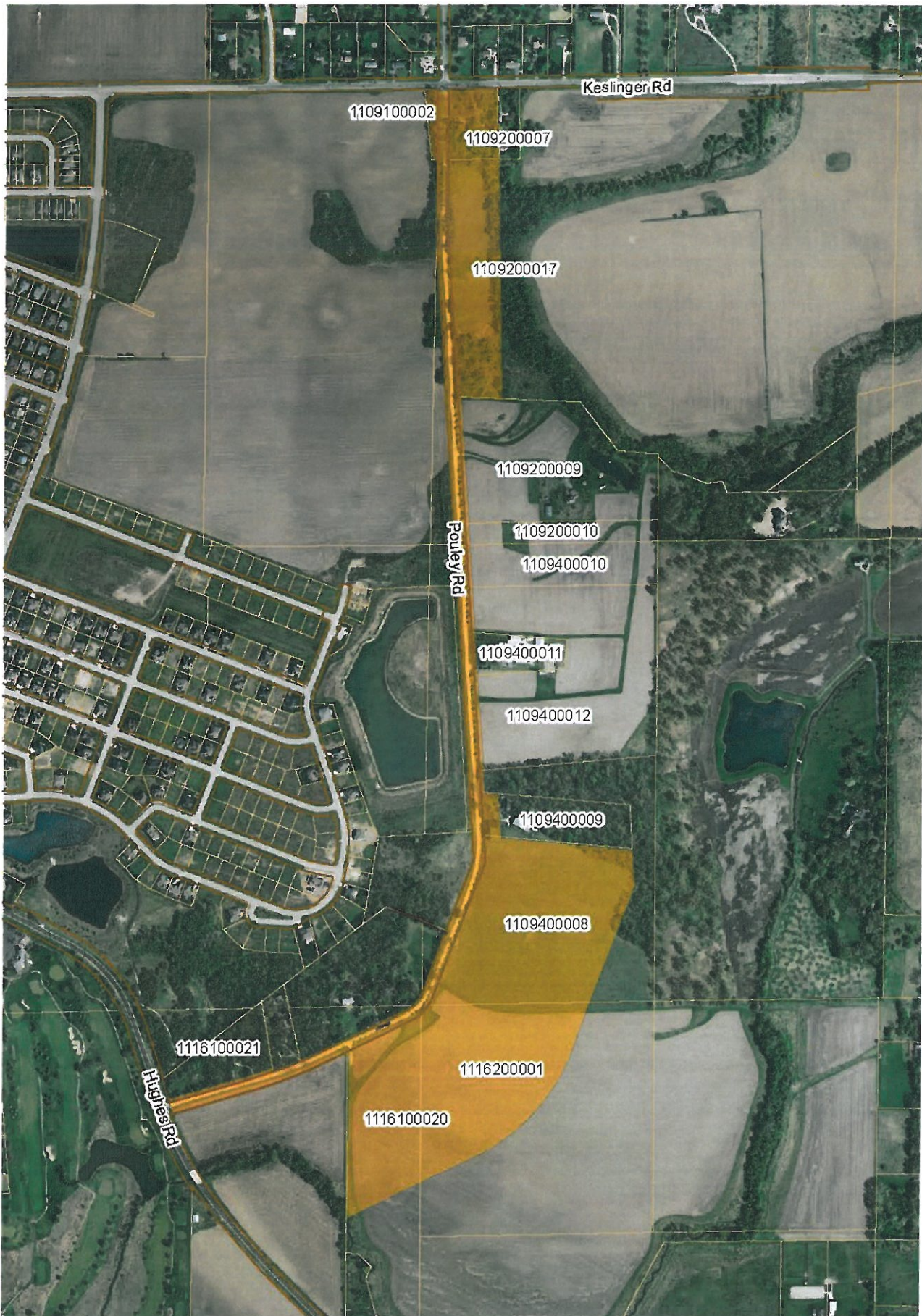
Activities for review and recommendation by the Historic Preservation Commission:

- New construction.
- New road access points.
- Change in grade, zoning or use.

DRAFT

Corridor Management Plan Map

(highlighted area indicates protected road corridor)



Feature 1
1109100002
1109200007

Feature 2
1109200017

Feature 3
1109200009

Feature 4
1109400010

Feature 5
1109400011

Feature 6
1109400009

Feature 7
1109400008
1116200001
1116100020

Feature 8
1116100021



1 inch = 800 feet

Transportation Activities

The following activities are not related to specific properties, but are general activities related to the actual roadway that impact the safety and mobility of those using the roadway. As it is one of the objectives of the CMP to address safety concerns in a manner that has the least impact on the roadway while providing the most benefit to motorists and enhancing the scenic and natural qualities of the roadway, each activity is followed by recommended strategies to improve the existing conditions. However, it is possible that improvements beyond these recommendations may be necessary in the future. The activities are described as either maintenance, minor or major improvements.

Maintenance

The following activities are considered to be necessary routine maintenance for the road and features in the right-of-way. Neither a Certificate of Appropriateness nor review by the Historic Preservation Commission is required for the activities unless they deviate from the recommended strategies.

1. Tree trimming

Objectives: Maintain natural look and size of trees while allowing for healthy growth.

Recommended Strategy: Trees along roadway requiring routine trimming should be placed on a 1-3 year trimming schedule. Some trees may need more trimming because of their location along the road.

Affected agencies/property owners: Commonwealth Edison, Village of Elburn, Kane County Forest Preserve District and Blackberry Township Highway Commissioner

2. Road bed

Objectives: Maintain the width, character, and surface of the roadway in regards to the levels and types of roadway users.

Recommended Strategy: Maintain gravel surface.

Affected agencies/property owners: Village of Elburn and the Blackberry Township Highway Commissioner.

3. Mowing

Objectives: Maintain the rustic and natural qualities along the roadway.

Recommended Strategy: Continue to mow roadside 3 to 4 times per growing season to control weeds and grass.

Affected Agencies/property owners: Village of Elburn, Kane County Forest Preserve and the Blackberry Township Highway Commissioner

Road Improvements

In general, road improvements will not require a Certificate of Appropriateness or review by the Historic Preservation Commission unless they deviate from the recommended strategies. Signs and other physical changes should be placed in the most sensitive manner possible both in location and means of installation.

If road improvements are necessary that deviate from the recommended strategies the appropriate Highway Authority should give notice of major improvement work, such as paving and marking, to the Historic Preservation Commission. The Historic Preservation Commission will review and comment on the impact of these activities on the road corridor. They may recommend design features and alternatives that could minimize the impact on the road corridor.

Possible Roadway Improvements

The following are features that have been identified as areas that may need minor and /or major improvements;

1. Maintaining Roadbed Safety

Goal: To provide a safe road to travel for all motorists.

Improvement Strategy: Maintain gravel roadbed based and dust control according to traffic volume. If traffic volume or safety issues warrant improvements, this may include widening or paving the road.

2. Marking Curves with Signage

Goal: To provide the necessary signage to inform motorists of curves in road.

Improvement Strategy: Correct Hughes Road intersection sign on the north end of the curve. The existing curve ahead (W1-1) warning sign has an advisory speed of 20 mph, which in being less than 30 mph requires a turn ahead (W1-2) sign instead. The existing "Curve Ahead" sign located at the south end of the curve does not show an advisory speed. Also, it would be advisable to evaluate and determine the max. Allowable speed of the curve in an effort to insure the 20 mph speed in accordance with accepted standards for advisory speeds on curve as well as determine the appropriate advisory speed to be placed on the curve sign at south end of the curve.

3. Driveway at 0N169 Pouley Road

Goal: To improve the safety of the driveway for road users and homeowner.

Improvement Strategy: Retain "CAUTION DRIVEWAY AHEAD" warning with "15 MPH" advisory speed plaque located in the South Bound direction, in advance of this location.

4. Weight Limits on the Road

Goal: To provide a safe road to travel for all motorists.

Improvement Strategy: It is recommended that 10 ton weight limit signs be posted at either end of the designated portion of Pouley Road.

5. Speed Restrictions

Goal: To provide a safe road to travel for all motorists.

Improvement Strategy: Currently, this stretch roadway is posted for a 35 mph speed limit with two (2) signs placed at either end of the subject limits. It is recommended that an engineering study be conducted in order to determine an appropriate speed limit for the gravel road.

6. Road Access Points

Goal: To prohibit access points to Pouley Road from Blackberry Creek Subdivision.

Improvement Strategy: Continue to prohibit access from Blackberry Creek Subdivision to Pouley Road.

Goal: To limit access points to Pouley Road from Kane County Forest Preserve land adjacent to the road.

Improvement Strategy: Develop an agreement with Kane County Forest Preserve for limited access to Pouley Road.

7. Sensitivity to Road

Goal: To discourage overflow or detour traffic

Improvement Strategy: Due to the road's gravel surface extra traffic disturbs the gravel and creates a dust nuisance. In order to keep the roadbed maintenance to a minimum and keep road safety to a maximum overflow and detour traffic should not be routed to Pouley Road.

Regional Land Use and Transportation Plans, Projects, and Programs

The following are adopted or anticipated plans, projects, or programs that may impact or guide the future of the roadway.

1. Kane County 2040 Land Use Plan

In the County's 2040 Land Use Plan the length of Pouley Road included in the Rustic Road is called out as being in existing and proposed open space. A smaller adjacent portion of the road is identified as countryside/estate residential land use. Some of the County's requirements associated with this area include: preserve and enhance streetscapes, identify and designate county historic preservation districts, encourage rural traditional design for rural hamlets and villages, encourage and assist villages in protecting their historic resources, and encourage, maintain and support agriculture as a viable land use.

The 2040 Plan also addresses protecting and improving water quality uses of surface waters for ecosystem habitat and healthy living within the Water Resources Chapter of the 2040 Plan. Blackberry Creek must be protected. The 2040 Plan calls for the use of Best Management Practices to protect rivers and streams. An effective BMP system protects open space adjacent to waterways, requires buffer strips along streams and wetlands, stabilizes banks through structural and vegetative means, protects native plant species, controls nutrient loading from both new development and agricultural land uses, minimizes pollutants and pesticides from both new development and agricultural land uses.

2. Kane County Stormwater Ordinance

The County's Storm Water Ordinance defines a creek as a Special Management Area. Article 4 of the Ordinance addresses the Protection of Special Management Areas, Section 405 General Performance Standards and Section 412 Riverine Floodplain state specific measures for the protection of creeks in the County.

3. Kane County 2040 Transportation Plan

This plan does not provide specific projects or improvements for Pouley Road or the surrounding area. The plan projects that Pouley Road will not be congested in the year 2040. The 2040 Transportation Plan is also consistent with land use plans, and promotes public safety and awareness regarding the agricultural vehicles that share our roads.

4. Blackberry Township Highway Commissioner Plan

The current Blackberry Township Highway Commissioner, Rod Fece, currently has no major improvement projects planned for Pouley Road.

5. Village of Elburn, Comprehensive Plan

The Plan shows Pouley Road in existing and proposed agriculture areas. Currently the plan shows no major improvement projects planned for Pouley Road.

Definitions

Certificate of Appropriateness - A certificate used by a Preservation Commission indicating its approval of plans for alteration, construction, demolition, or removal affecting a nominated or designated landmark or property within a nominated or designated preservation district or road corridor.

Conservation Easement - An agreement between a landowner and a nonprofit conservation group or public agency that limits the use of the land to ensure that the owner's conservation goals for the property are upheld. A conservation easement can guarantee that the trees on your land won't be cut down, for instance, or that the property will remain farmland.

Corridor Management Plan - Includes enhancement strategies for the road for the preservation, maintenance and alteration of the road, right-of-way, properties, structures and features in the nominated corridor. These strategies can include defining setbacks, appropriate landscaping for new construction, new access points, and determining road way elements such signage, bridges, guardrails, etc. The Historic Preservation Commission will monitor these guidelines through requests for Certificates of Appropriateness.

Landmark Designation - Historic structures can be protected with the Kane County Historic Landmark designation. Buildings or structures that are 50 years or older having local, state, or national historic, architectural, or cultural significance qualify for land designation. The designation protects and preserves landmarks by requiring a Certificate of Appropriateness for exterior changes made to the building or structure and also through the zoning and building permit processes from incompatible nearby development and from demolition.

Purchase of Development Rights - The Kane County Farmland Protection program protects farmland by paying a landowner the difference between the value of their land as agricultural and what it could be sold for if it were to be developed as residential or commercial property.

Right-of-way - The land area associated with a roadway either by prescription or by dedication to the highway authority, including all lands owned by the road management entity beyond the edge of the road bed.

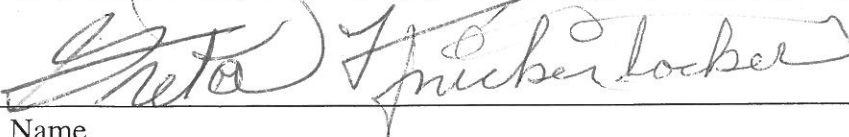
Setback - The minimum distance, maintained between a street right-of-way and the nearest supporting member of any structure on the lot.

Viewshed - The viewshed is the physical limit of scenery or area one can see and experience from any given vantage point. Anything visible within the viewshed is important to the road character.

Pouley Road Corridor Management Plan
Signature Page

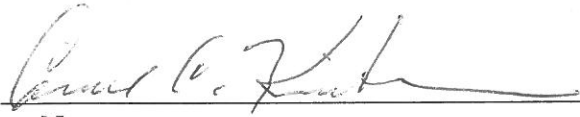
Feature #1 Pouley Estate

Conrad and Greta Knickerbocker 09N955 Pouley Road 11-09-100-002, 11-09-200-007

 4/3/07

Name

Date

 4/4/07

Name

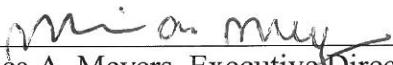
Date

Pouley Road Corridor Management Plan
Signature Page

Feature #2 View of Blackberry Creek Watershed
Forest Preserve District of Kane County (No Address) 11-09-200-017

Feature #5 Crabapple trees, open space and farmland
Forest Preserve District of Kane County (No Address) 11-09-400-012

Feature # 8 Open space and view of Johnson's Mound
Forest Preserve District of Kane County (no address)
11-09-400-008, 11-16-200-001, 11-16-100-011



Monica A. Meyers, Executive Director

5-8-14
Date

Pouley Road Corridor Management Plan
Signature Page

Feature #4 Open Space and View of Blackberry Watershed.

Robin Urich 0N575 Pouley Rd. 11-09-200-009, 11-09-200-010, 11-09-400-010

Robin Urich

Name

3/24/07

Date

Pouley Road Corridor Management Plan
Signature Page

Feature #6 View of Blackberry Creek Farm
Kit Compton 0N367 Pouley Road 11-09-400-011

Kit Compton 3/20/07
Name Date

Pouley Road Corridor Management Plan
Signature Page

Feature #7 Wooded Area

Dan Otto and Jan Jorstad 0N169 Pouley Road 11-09-400-009

Dan Otto

Name

3/20/07

Date

Jan Jorstad

Name

3/20/07

Date

Pouley Road Corridor Management Plan
Signature Page

Feature #10 Wooded Area

William and Judith Bergman 42W668 Pouley Rd. 11-16-100-021
Bergmann

W. E. Bergmann 6 FEB 2007
Name Date

Judith A. Bergmann 2/6/07
Name Date

Adjacent Properties

The following properties are only adjacent to the road corridor and are not protected properties. The owners have either chosen to “Opt –Out” or have not responded and have therefore not been included in the protected portion of the road corridor.

L.B. Andersen & Co. Inc./Blackberry 14 LLC (No Address on Pouley Rd.) 11-09-100-013, 11-09-200-004,11-09-400-013,11-09-401-001 (See Attached Letter)

Kathy Bergold 42W566 Pouley Road 11-16-100-012 (See Attached Letter)

Vincent Aragona 42W642 Pouley Rd. 11-16-100-003

Old Second National Bank of Aurora (No address on Pouley Rd.) 11-16-100-016

MEMORANDUM

TO: Julia E. Thavong
FROM: Wade B. Light
SUBJECT: Pouilly Road Rustic Corridor Designation
DATE: June 13, 2014

Attached is June 5, 2014 correspondence received by my office on behalf of ownership. At this time it is extremely uncertain whether the current owner will be the ultimate developer of the subject property or not. As such, the current owner is reticent to enter into any commitments which may, potentially, be passed on to a future owner.

As such, ownership hereby opts-out of the program for present purposes. It is always possible that, at the time of development, a future owner will voluntarily comply with some or all of the objectives of the proposed plan.

Please bear in mind that I have not reviewed in detail the materials provided to determine whether there are any tangible benefits to ownership in agreeing to opt in to the plan, other than maintenance of the rural character of ownership's frontage on Pouilly Road, which by necessity will remain generally the way it exists today until some future development activity takes place.

Thank you for your consideration in this matter.

LAW OFFICES

HOSCHEIT, MCGUIRK, MCCrackEN & CUSCADEN, P.C.

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September 21, 2006

VIA FACSIMILE: (630) 232-3411
AND REGULAR MAIL

Ms. Julia Thavong
Preservation Planner
Kane County Development Department
719 Batavia Avenue
Geneva, IL 60134

Re: Pouley Road Corridor Management Plan
PIN: 11-16-100-012; 11-09-300-002; 11-09-400-006 & 11-09-300-010
Our File No.: G19567-1

Dear Ms. Thavong:

Pursuant to Notice dated September 12, 2006, please be advised that we represent Mrs. Kathy Bergold as Trustee of the Kathy Bergold Trust, as owner of the above referenced properties, commonly known as 42W566 Pouley Road in Elburn, Illinois. Mrs. Bergold has chosen to opt out of the Rustic Roads program. Please contact me if you have any questions regarding this Notice.

Sincerely,



Kate L. McCracken

KLM:ib

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HMM&C