

Village of Gilberts

Village Hall: 87 Galligan Road, Gilberts, Illinois 60136

Ph. 847-428-2861 Fax: 847-428-2955

www.villageofgilberts.com

VILLAGE BOARD COMMITTEE OF THE WHOLE MEETING AGENDA

Tuesday, August 11, 2020 - 7:00 p.m. - Village Hall Board Room

In accordance with recent amendments to the Open Meetings Act that authorize remote meeting attendance during the COVID-19 pandemic, the Village President has determined that it is not prudent or practical to conduct an in-person meeting for all members of the Board and the public due to the pandemic. Therefore, some of the Village Board members may attend this meeting by electronic means, in compliance with the amended OMA.

In order to comply with the Governor's executive orders regarding limitations on gatherings and to ensure social distancing, members of the public are encouraged to attend the meeting remotely via video or audio as follows:

Zoom (video and/or audio): <https://zoom.us/j/98579035621>

Meeting ID: 985 7903 5621

Dial-In (audio): (312) 626-6799

Members of the public can also submit written comments via email at info@villageofgilberts.com. Any comments received by 5 pm on August 11, 2020 will be submitted into the record of the meeting.

ORDER OF BUSINESS

1. CALL TO ORDER / PLEDGE OF ALLIEGENCE

2. ROLL CALL / ESTABLISH QUORUM

3. PUBLIC COMMENT*

4. ITEMS FOR DISCUSSION

- A. Presentation and Discussion of a Request from Glogovsky Oil Company VI, Inc, d/b/a Gilberts Shell for an Increase in the Number of Permitted Video Gaming Terminals under Village Code
- B. Presentation and Discussion of a Proposal by Prairie Enterprises, LLC for Two Proposed Code Amendments Related to a Development Proposal
- C. Discussion of a Request by Gilberts Development, LLC for the Village to Reconsider the Limitation on Building Permit Issuance

5. STAFF REPORTS

6. TRUSTEES' REPORTS

7. PRESIDENTS' REPORT

8. EXECUTIVE SESSION*

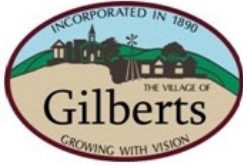
9. ADJOURNMENT

***Executive Session Information**

A portion of the meeting will be closed to the Public, effective immediately as Permitted by 5 ILCS 120/2(c) (1) to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the Village, and as permitted by 5 ILCS 120/2 (c) (11) to discuss litigation against, affecting, or on behalf of the Village which has been filed and is pending in a court or administrative tribunal of which is imminent and as permitted by 5 ILCS 120/2(c) (21) to review and approve closed session minutes and as permitted by 5 ILCS 120/2 (c) 2 Collective negotiating matters.

***Public Comment Policy**

Anyone indicating a desire to speak during Public Comments portion of the Village Board Meeting will be acknowledged by the Village President. All remarks are to be addressed to the Village President and Board of Trustees as a whole, not to any specific person(s). To ensure that everyone who wishes to speak has the opportunity to do so, please limit your comments to five minutes. Additional time may be granted at the discretion of the Village President. If you have written comments, please provide a copy to the Village President. If there are a number of individuals present to speak on the same topic, please designate a spokesperson that can summarize the issue. During Public Comments, the Village President, Trustees and Staff will listen to comments and will not engage in discussion. The Village President or Trustees may ask questions to better understand your concern, suggestion or request. Please direct any personnel concerns to the Village Administrator before or after the meeting. The Village of Gilberts complies with the Americans Disabilities Act (ADA). For accessibility Assistance, please contact the Village Clerk at the Village Hall, telephone number is 847-428-2861". Assistive services will be provided upon request.



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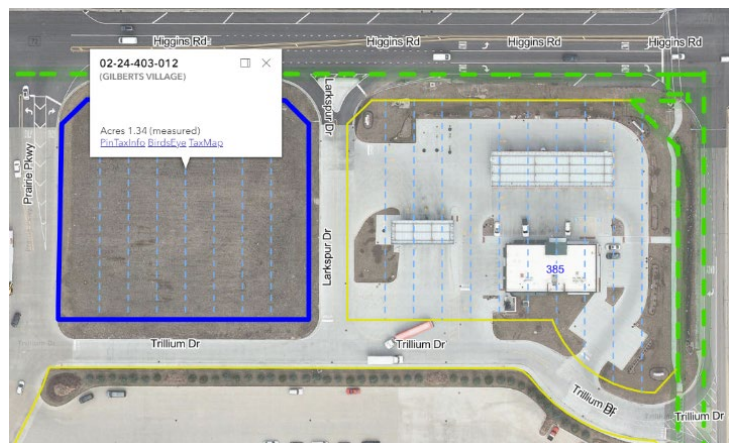
To: President Zirk and the Board of Trustees
From: Brian Bourdeau, Village Administrator
Date: August 11, 2020 Committee of the Whole
Re: Item 4.A: A Request from Glogovsky Oil Company VI, Inc, d/b/a Gilberts Shell for an Increase in the Number of Permitted Video Gaming Terminals under Village Code

The property and business owner of the Gilberts Shell at corner of Illinois Route 72 and Tyrrell Road has approached the Village about operating additional video gaming terminals under a “large truck stop” classification from the State of Illinois Gaming Board.

In 2019, the Illinois General Assembly amended the Video Gaming Act to increase the number of video gaming terminals permitted by retail establishments from 5 to 6. As the Board may recall, the Village amended its local ordinances to allow licensed retail establishments to have up to 6 video gaming terminals (Ordinance 15-2019). The amended Video Gaming Act also created a new license classification for “large truck stops,” which classification is allowed up to 10 video gaming terminals. As defined by the Act a “large truck stop” is:

“Licensed large truck stop establishment” means a facility located within 3 road miles from a freeway interchange, as measured in accordance with the Department of Transportation’s rules regarding the criteria for the installation of business signs: (i) that is at least a 3-acre facility with a convenience store, (ii) with separate diesel islands for fueling commercial motor vehicles, (iii) that sells at retail more than 50,000 gallons of diesel or biodiesel fuel per month, and (iv) with parking spaces for commercial motor vehicles. “Commercial motor vehicles” has the same meaning as defined in Section 18b-101 of the Illinois Vehicle Code. The requirement of item (iii) of this paragraph may be met by showing that estimated future sales or past sales average at least 50,000 gallons per month. (230 ILCS 40/5).

Subsequently, the Gilberts Shell applied to the Illinois Gaming Board to be classified as a “large truck stop” for purposes of video gaming. On July 14, 2020, Gilberts Shell advised the Village that the Illinois Gaming Board had granted their application to classified as a “large truck stop” under the Video Gaming Act. As noted above, the one of the criteria for the facility is it must be “a 3-acre facility with a convenience store. The parcel upon which the existing facility sits is approximately 1.92 acres; however, the property owner also owns the undeveloped parcel immediately to the



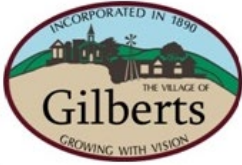
west, which is approximately 1.34 acres and separated from the currently facility by a public roadway (Larkspur Drive). Based on the information available and staff inquiries with the Illinois Gaming Board, it appears that the Gaming Board has made a determination that the parcels do not have to be contiguous for purposes of meeting the 3-acre requirement that would allow the classification as a “large truck stop” and therefore the opportunity for up to 10 terminals.

It is important to note that the designation as a “large truck stop” applies only to Gilberts Shell’s status under the Video Gaming Act and does not grant or change local land use or zoning for the facility. Specifically, it does not give Gilberts Shell the authority to operate a truck stop, which is not currently permitted under the Village’s Unified Development Ordinance (UDO). Any change in the use of the property or development of the vacant parcel to the west would require the property/business owner to go through the established local planning and zoning process.

At this time Gilberts Shell is not proposing a change in the use of the parcel; however, they are seeking Village Board consideration of an Ordinance change to allow the operation of up to 10 video gaming terminals for establishments classified as a “large truck stop” by the Illinois Gaming Board. Section 3-2-21(E) of the Village Code currently regulates the number of video gaming terminals in the Village as follows:

Not more than six video gaming terminals may be located in a licensed retail establishment where alcoholic liquor is drawn, poured, mixed or otherwise served for consumption on the premises. Video gaming terminals may also be located at licensed fraternal establishments, licensed veterans' establishments and licensed truck stop establishments as defined by the video gaming act, 230 Illinois Compiled Statutes 40/1 et seq.

The owner of Gilberts Shell will be present at the August 11 Committee of the Whole to present and discuss the request with the Board.



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To: Village President and Board of Trustees
From: Brian Bourdeau, Village Administrator
Date: August 11, 2020 Committee of the Whole Meeting
Re: Item 4.B: Presentation and Discussion of a Proposal by Prairie Enterprises, LLC for Two Proposed Code Amendments Related to a Development Proposal

The Village has been approached by Prairie Enterprises, LLC (the “*Applicant*”) regarding a proposal to construct a self-storage facility on the approximately 20-acre parcel located on the south side of IL Route 72, immediately west of the Union Pacific railroad tracts. In July 2019, the Applicant submitted a preliminary and final subdivision plat, and special use application. Further, on November 12, 2019, the Applicant appeared before the Board for a concept presentation regarding their proposed development. Subsequently, the Applicant resubmitted revised materials which the Village has reviewed and provided comments on what additional items are required before the application can be deemed complete. At this time the Applicant is still in the process of providing the necessary materials to finalize the application and move forward to a hearing in front of the Plan Commission.

However, in addition to the special use and variations requests, the Applicant has also requested that the Board amend the Village Code relating to sanitary sewer connections and fire sprinkler requirements. The requested amendments are part of the Village’s generally applicable Code and not part of the Village’s Unified Development Ordinance (UDO). Therefore, any amendments to these provisions fall within the purview of the Village Board and are not subject to the planning and zoning process or the procedures for relief under the UDO.

A summary of the Applicants proposed code amendments are as follows:

A) Sanitary Sewer Amendment

Section 8-2B-4 of the Village Code requires “*a separate and independent building sanitary sewer shall be provided for every building. The sanitary sewer service shall be installed to within ten feet of the center of each lot or as otherwise approved by the building department. A building having one common wall with another building is considered a separate building and shall have its own sanitary sewer.*” The Village Code only authorizes septic disposal systems where no public sanitary sewer is available. Presently, there is an available sanitary sewer adjacent to the property the Applicant has proposed developing. Therefore, under the current Village Code the Applicant is required to connect. However, the Applicant contends their use will not require significant amounts of water or sewer usage and are seeking an amendment that would eliminate the sanitary sewer connection requirement for all buildings within the Village with a system load of less than or equal to 3.5 PE.

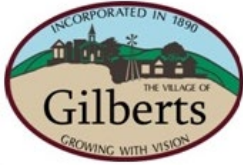
B) Sprinkler Code Amendment

The Village's local amendments to the 2003 International Fire Code require automatic fire suppression systems for most commercial and industrial buildings over 3,000 square feet, including self-storage facilities. The applicants proposed amendment would eliminate the sprinkler requirement for storage buildings that are less than 12,000 square feet.

The Applicant has requested the Board consider these amendments prior to proceeding further in their special use and variation applications.

Staff does not recommend changes to these provisions of the generally applicable Village Code. Changes to generally applicable Village Code provisions which carve out specific exceptions for a single development is not consistent with best practices. Further, the Village has had recent developments which have been constructed in accordance with the existing code provisions including the development which provided the sanitary sewer line which is adjacent to the property. There have also been 3 additional buildings along Industrial Drive that have been built/rebuilt under the current code provisions and fully complied. It is also important to note that unlike a variance under the UDO, which is specific to a development, these code changes would apply Village-wide.

The Applicant and their representatives will be present at the August 11, 2020 Committee of the Whole to further discuss their request with the Board.



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To: President Zirk and the Board of Trustees
From: Brian Bourdeau, Village Administrator
Date: August 11, 2020 Committee of the Whole
Re: Item 4.C: Discussion of a Request by Gilberts Development, LLC for the Village to Reconsider the Limitation on Building Permit Issuance

At the August 4, 2020 Village Board meeting, the Village Board considered a request by Gilberts Development, LLC for the Village to reconsider the limitation on building permit issuance. No action was taken on the item pending further discussion.

Included with this memorandum is a proposal prepared by Trustee Corbett for further discussion at the Committee of the Whole regarding building permits and milestones related to the Conservancy. Also included for reference is the Village Engineer's memo of July 31, 2020 related to water system capacity and a copy of the Resolution that was under consideration on August 4, 2020.

From: [Daniel Corbett](#)
To: [Brian Bourdeau](#)
Subject: Conservancy permits calcs / proposal
Date: Friday, August 7, 2020 12:31:21 PM

Hi Brian,

Here is what I've come up with for discussion on Tuesday. Basically it boils down to what the Board is comfortable giving up before the entire system is online. Troy, Jeremy and a rep from the contractor for the WTP expansion should be at the meeting. It will still be a COTW as we are not yet ready for approvals. Please feel free to share this in the packet (if possible) or in a separate email to the Board. I've also tried to make it abundantly clear that milestones need to be reached and the Board doesn't have much if anything to give after whatever our agreement turns out to be. Another point of discussion is what constitutes the 110,000 gpd that is already committed (besides the duplex development) and what the timing/consequences of those commitments are.

Permits available (40 belong to duplex development):

1) **Current** (based on 1.368 MGD, 11.8% loss, 80% CRS threshold):

140 - 162 depending on gpp (116 - 100) - or - gph (429 - 370):

Current Capacity: 1.368 MGD

Minus the 11.8% loss: $(1.368 * .882) = 1.206$ MGD

With the 80% CRS threshold: $(1.206 * .8) = .965$ MGD

Max usage 3-year average: $= .905$ MGD

Water available: $(.965 - .905) = .60$ MGD (60,000 gpd)

AI's numbers:

PE (3.7) * 116 gallons per person: 429 gpd per household

of permits available: $(60,000 \text{ gpd} / 429) = \mathbf{140}$

Non-engineer type people numbers:

PE (3.7) * 100 gallons per person: 370 gpd per household

of permits available: $60,000 \text{ gpd} / 370 = \mathbf{162}$

- propose releasing **60** permits now

2) **After well #6 comes online** (based on 1.4 MGD, 11.8% loss, 80% CRS threshold):

191 - 223 depending on gpp (116 - 100) - or - gph (429 - 370)

Future Capacity: 1.4 MGD

Minus the 11.8% loss: $(1.4 * .882) = 1.234$ MGD

With the 80% CRS threshold: $(1.234 * .8) = .987$ MGD

Max usage 3-year average: $= .905$ MGD

Water available: $(.987 - .905) = .82$ MGD (82,000 gpd)

AI's numbers:

PE (3.7) * 116 gallons per person: 429 gpd per household

of permits available: $(82,000 \text{ gpd} / 429) = \mathbf{191}$

Non-engineer type people numbers:

PE (3.7) * 100 gallons per person: 370 gpd per household

of permits available: $82,000 \text{ gpd} / 370 = \mathbf{221}$

- propose releasing additional **35** permits

Milestones:

1) Now - begin well #6 electrification, WTP expansion begins - release **60** permits

2) When well #6 is online - electrified (7-8 weeks), SCADA is installed (???) - release **35** permits

3) Well 5 is electrified, brought online (???)

4) WTP expansion is complete (8-12 months)

Thanks!

Dan

Brian Bourdeau

From: Albert K. Stefan <astefan@reltd.com>
Sent: Friday, July 31, 2020 7:09 PM
To: Brian Bourdeau; Rick Zirk
Cc: Steve Zehner
Subject: Gilberts - Water system capacity

From: Albert K. Stefan
Sent: Friday, July 31, 2020 6:27 PM
To: bbourdeau@villageofgilberts.com; Rick Zirk <rzirk@villageofgilberts.com>
Cc: Steve Zehner <szehner@reltd.com>
Subject: FINAL FINAL DRAFT - Gilberts - Water system capacity

Brian,

At your request, we have investigated further into the questions regarding the capacity of the Water system within the Village of Gilberts posed by Trustee Hacker and Trustee Zambetti. As a result of our further investigation, we respectfully submit the following:

The topics listed below should be taken into account as the Village moves forward:

- I. The Village is required to follow the Illinois Environmental Protection Agency (IEPA) guidelines.
- II. IEPA Definition(s) / Guidelines summary – a more detailed definition can be found in 35 Ill. Adm. Code, Subtitle F: Public Water Supplies, Chapter I, or the Illinois Environmental Protection Act. I have included IEPA's descriptive wording below listed as "Supporting documentation from IEPA."
 - i. **Critical Review Status**– when the system has reached 80% of its Limiting Capacity Factor (LCF), this is also referred to as the "chokepoint." The community is placed on a list. Once on this list, each construction permit is carefully reviewed to determine its impact on the current system, and that the project will not exceed its capacity. IEPA will then gauge whether to approve or disapprove each permit.
 - ii. **Restricted Status** – this would be when the system may be considered potentially in violation of 35 Ill. Adm. Code, Subtitle F: Public Water Supplies, Chapter I, or the Illinois Environmental Protection Act. - any construction permits may be denied. Although the exact value or percentage of capacity is difficult to assess (due to the many variables that go into the analysis), it is typically at or near 90% of the systems limiting capacity.
- III. Current Village Status:
 - Capacity at the Water Treatment facility - which is currently the Villages "Limiting Capacity Factor" (LCF) – as discussed noted above
 - Current Population = 7,800 people
 - IEPA Critical Review Status (CRS), for our current system, is approx. 80% of Limiting Capacity Factor (LCF)
 - Water Treatment Plant (WTP) is rated and designed for a capacity of 1.4 Million Gallons per Day (MGD)
 - Well capacity for #3 is 1.368 MGD thus the LCF

- Max Demand (2018) was 1.072 MGD (76% of WTP design)
- Max Demand (Averaged over the last three years) = 0.9048 MGD
- Max Demand (2020 Jan – June) = .835 MGD
- Village system loss is 11.8 %
- The average number of people per household = 3.7 (typical range is 3.5 to 4.0 per household)
- Committed water either under permit or platted lot = 110, 000 gallons (ESTIMATED)
– NOTE – At this time this value was not included the analysis

IV. Summary of our analysis;

Basis	Limiting capacity Factor – Well No 3 (MGD)	Capacity LCF – system loss (MGD)	System loss (%)	Available water (Capacity – system loss) (MGD)	Critical Review (80%) (MGD)	Max Demand (MGD)	Available volume (Gallon)	Population Equivalent	# of potential units
Max Demand (2018)	1.368	1.206	11.8	.965	.905	1.072	-776.65	3.7	-209.9
Max Demand (3 year average)	1.368	1.206	11.8	.965	.905	904,800	521.21	3.7	140.87

- Additional system capacity that may be available to stay below Critical Review Status –
NOTE: Preliminary estimate – Values will vary subject to losses to the system, and industrial

use

V. AKS Summary

- In 2018 the system may have exceeded the capacity of the system and what it would be able to treat. It then can be assumed that the Demand would then pull from the storage available in the Tanks.
- Key points for consideration:
 - The 2020 Max demand (January – June) is 835,000 gallons
 - Average Day between 2019 and current numbers is up 40,000 gallons
 - Note July rainfall is below previous years and should anticipate higher demands
- Based on the theoretically Demand (3-year average) - the capacity of adding only an additional 140 homes before it may be placed on the CRS list.
- Once on the CRS list – construction permits for expanding its distribution system may or may not be approved should it exceed they systems limiting capacity “Chokepoint.” This evaluation will include additional residential and commercial developments.
- Should the Village go on Restricted Status – the Villages system will then be closely monitored, and the Village may be required to make adjustments as required by the IEPA.

- This evaluation is subjective and is commonly used by municipal engineers when evaluating a system remaining capacity for a system expansion
- The Data was obtained from staff and is the best available information to date.

Please call if you have any questions and or comments

Albert Stefan, PE

Associate / Senior Project Manager



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VILLAGE OF GILBERTS

RESOLUTION 23-2020

**A RESOLUTION AUTHORIZING AND APPROVING THE RELEASE
OF A LIMITED NUMBER OF BUILDING PERMITS
OF THE CONSERVANCY DEVELOPMENT**

WHEREAS, on January 31, 2017, the Village of Gilberts Board of Trustees approved the First Amendment to an Annexation and Development Agreement between the Village of Gilberts and Gilberts Development LLC for 914.02 acres of the Conservancy Development, legally described on **Exhibit A** (“*Gilberts Development Parcel*”), which Agreement was recorded on February 3, 2017, with the Kane County Recorder’s Office, as Document No. 2017K006674, and which Agreement was further amended by the Second Amendment and the Third Amendment (collectively, “*Amended Annexation Agreement*”); and

WHEREAS, on January 31, 2017, the Village of Gilberts Board of Trustees also approved Ordinance No. 05-2017, an Ordinance Approving a First Amendment to an Existing Planned Unit Development and the Preliminary PUD Plan for the Conservancy Development, which Ordinance was recorded on February 3, 2017, with the Kane County Recorder’s Office, as Document No. 2017K006675, which Ordinance was further amended by the Second Amendment to the PUD Ordinance (collectively, “*Amended PUD Ordinance*”); and

WHEREAS, the Amended Annexation Agreement restricts the number of building permits that can be issued for lots in the Conservancy Development to 123 permits until the water service improvements required by the Amended Annexation Agreement are completed and operational, unless expressly approved otherwise by a majority vote of the Village Board; and

WHEREAS, Gilberts Development LLC previously requested that the Village Board authorize and approve the release of 51 additional building permits (beyond the 123 permits authorized by the Amended Annexation Agreement) in advance of the water service improvements being completed and operational; and

WHEREAS, the Village Board previously approved Resolution No. 01-2018 approving the release of 51 additional building permits for Phase 2A-1, which Resolution was subsequently amended by Resolution 07-2018; and

WHEREAS, Gilberts Development LLC is now requesting that an additional number of building permits be released, in accordance with the terms and conditions of this Resolution.

THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GILBERTS AS FOLLOWS:

Section 1. **Recitals.** The recitals set forth above are hereby incorporated into and made a part of this Resolution as though set forth in this Section 1.

Section 2. Release of a Limited Number of Building Permits for the Conservancy. In accordance with the authority granted by the Amended Annexation Agreement, the Village Board of Trustees hereby authorizes and approves the release of additional building permits for the Conservancy Development (beyond the 123 permits authorized by the Amended Annexation Agreement and the 51 permits authorized for Phase 2A-1 that were released previously), when the following milestones are achieved, subject to compliance with the conditions set forth in Section 3, including without limitation, approval and recordation of plats of subdivision for any phase of the Conservancy Development for which building permits are proposed to be released:

- A. Upon approval of this Resolution, the Village will release 95 building permits for lots within the Conservancy Development.
- B. When Water Well No. 6 is electrified, the Village will release 44 building permits for lots within the Conservancy Development.
- C. When Well No. 6 is operational and construction of the improvements to the water treatment plant has commenced, the Village will release 114 building permits for lots within the Conservancy Development.
- D. When both Well No. 5 and Well No. 6 are operational, the Village will release 108 building permits for lots within the Conservancy Development.
- E. The remaining building permits for lots within the Conservancy Development will be released only after all of the water service improvements required by the Amended Annexation Agreement are completed, accepted by the Village, and fully operational in accordance with the Amended Annexation Agreement.

Section 3. Conditions. The approvals granted in Section 2 of this Resolution are conditioned upon and limited by the following requirements, conditions, and restrictions, the violation of any of which shall, in the sole discretion of the President and Board of Trustees, invalidate the approvals:

- A. No Authorization of Work. This Resolution does not authorize commencement of any work on the Property. Except as otherwise specifically provided in writing in advance by the Village, no work of any kind shall be commenced on the Gilberts Development Parcel pursuant to the approvals granted in this Resolution unless and until all conditions of this Resolution have been fulfilled and after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law, including but not limited to the approval and recordation of final plats of subdivision for any phase of development that has not yet been platted.
- B. Compliance with Laws. The Village’s zoning, subdivision, and building regulations, and all other applicable Village ordinances and regulations shall continue to apply to the Gilberts Development Parcel, and the development and use of the Gilberts Development Property shall comply with all laws and regulations of all other federal, state, and local governments and agencies having jurisdiction.

C. Continued Effect of the Approvals. The Amended PUD Ordinance, the Amended Annexation Agreement, and all final plats of subdivision approvals shall remain in full force and effect, and the Owner shall comply with all requirements, conditions, and restrictions therein.

In addition, any violation of this Resolution shall be deemed a violation of the Village of Gilberts Zoning Code and shall subject the Owner to enforcement proceedings accordingly.

Section 4. Severability. In the event a court of competent jurisdiction finds this Resolution or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this Resolution and the application thereof to the greatest extent permitted by law.

Section 5. Repeal and Saving Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or cause of action which shall have accrued to the Village of Gilberts prior to the effective date of this Resolution.

Section 6. Effective Date. Upon its passage and approval according to law, this Resolution shall, by authority of the Board of Trustees, be published in pamphlet form.

PASSED BY THE BOARD OF TRUSTEES of the Village of Gilberts, Kane County, Illinois, this ____ day of _____, 2020.

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Dan Corbett	_____	_____	_____	_____
Trustee Elissa Kojzarek	_____	_____	_____	_____
Trustee Nancy Farrell	_____	_____	_____	_____
Trustee Jeanne Allen	_____	_____	_____	_____
Trustee Lou Hacker	_____	_____	_____	_____
Trustee Guy Zambetti	_____	_____	_____	_____
President Rick Zirk	_____	_____	_____	_____

APPROVED THIS ____ DAY OF _____, 2020

Village President, Rick Zirk

(SEAL)

ATTEST: _____
Deputy Village Clerk, Phillip Versten

Published: _____

EXHIBIT A

Legal Description of the Gilberts Development Parcel

PARCEL 1:

THE WEST 87 LINKS OF GOVERNMENT LOT 1 OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF RUTLAND, KANE COUNTY, ILLINOIS.

PARCEL 2:

THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF RUTLAND, KANE COUNTY, ILLINOIS.

PARCEL 3:

THE SOUTH 4 RODS OF THE EAST 3 RODS OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 11 TOWNSHIP 42 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS.

PARCEL 4:

THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THAT PART OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING EASTERLY OF THE RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY, SAID PARALLEL LINE BEING ALSO THE WESTERLY RIGHT OF WAY LINE OF THE ELGIN AND BELVIDERE ELECTRIC COMPANY IN RUTLAND TOWNSHIP, KANE COUNTY, ILLINOIS.

PARCEL 5:

THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF RUTLAND, KANE COUNTY, ILLINOIS.

PARCEL 6:

THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 42, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF RUTLAND, KANE COUNTY, ILLINOIS.

PARCEL 7:

THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF RUTLAND, KANE COUNTY, ILLINOIS.

PARCEL 8:

THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF RUTLAND, KANE COUNTY, ILLINOIS.

PARCEL 9:

THE SOUTH HALF OF THE SOUTH HALF OF SECTION 2 AND THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 11, ALL IN TOWNSHIP 42 NORTH, RANGE 7 EAST OF

FOR VILLAGE BOARD DISCUSSION ONLY – August 11, 2020

THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF RUTLAND, KANE COUNTY, ILLINOIS.

PARCEL 10:

THE NORTH HALF OF THE NORTHEAST QUARTER (EXCEPT THE SOUTH 4 RODS OF THE WEST 3 RODS THEREOF) OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF RUTLAND, KANE COUNTY, ILLINOIS.

PARCEL 11:

THE NORTHWEST FRACTIONAL QUARTER OF SECTION 2, (EXCEPT THE WEST 87 LINKS OF THE NORTHWEST QUARTER OF SAID NORTHWEST FRACTIONAL QUARTER AND ALSO EXCEPT THAT PART OF SAID NORTHWEST FRACTIONAL LYING NORTHEASTERLY OF THE CENTER LINE OF HUNTLEY ROAD), ALSO THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 2, ALL IN TOWNSHIP 42 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN IN RUTLAND TOWNSHIP, KANE COUNTY, ILLINOIS.

Parcel Identification Numbers: 02-02-100-007; 02-02-100-008; 02-02-300-002; 02-02-300-003; 02-02-300-004; 02-02-400-002; 02-11-100-003; 02-11-100-010; 02-11-200-001; 02-11-200-003; 02-11-200-005; 02-11-200-007; 02-11-300-008; 02-11-400-003; 02-11-400-004; 02-11-400-005; 02-11-475-012; 02-11-425-001; 02-11-475-001; 02-11-425-010; 02-11-401-016; 02-11-296-001; 02-11-401-001; 02-11-401-008; 02-11-401-015; 02-11-350-007; 02-11-404-010; 02-11-475-013; 02-11-401-014; 02-11-401-013; 02-11-401-012; 02-11-401-011; 02-11-401-010; 02-11-401-009; 02-11-401-008; 02-11-401-007; 02-11-401-006; 02-11-401-005; 02-11-401-004; 02-11-401-003; 02-11-401-002; 02-11-296-002; 02-11-402-001; 02-11-402-002; 02-11-402-003; 02-11-348-001; 02-11-402-004; 02-11-348-002; 02-11-402-005; 02-11-348-003; 02-11-348-004; 02-11-350-006; 02-11-350-005; 02-11-350-004; 02-11-404-004; 02-11-350-003; 02-11-404-003; 02-11-350-002; 02-11-404-002; 02-11-350-001; 02-11-404-001; 02-11-404-006; 02-11-404-007; 02-11-404-008; 02-11-404-009; 02-11-451-001; 02-11-451-011; 02-11-451-002; 02-11-451-012; 02-11-451-003; 02-11-451-013; 02-11-451-004; 02-11-451-014; 02-11-451-005; 02-11-451-015; 02-11-451-006; 02-11-451-016; 02-11-451-007; 02-11-451-017; 02-11-451-008; 02-11-451-018; 02-11-451-009; 02-11-451-019; 02-11-451-010; 02-11-451-020; 02-11-349-001; 02-11-349-002; 02-11-349-003; 02-11-349-004; 02-11-349-005; 02-11-349-006; 02-11-349-007; 02-11-349-008; 02-11-349-009; 02-11-403-001; 02-11-403-002; 02-11-403-003; 02-11-403-004; 02-11-403-005; 02-11-403-006; 02-11-403-007; 02-11-403-008; 02-11-403-009; 02-11-405-001; 02-11-405-002; 02-11-405-003; 02-11-405-004; 02-11-405-005; 02-11-405-006; 02-11-405-007; 02-11-405-008; 02-11-405-009; 02-11-405-010; 02-11-405-011; 02-11-405-012; 02-11-405-013; 02-11-405-014; 02-11-405-015; 02-11-405-015; 02-11-405-016; 02-11-405-017; 02-11-405-018; 02-11-405-019; 02-11-425-002; 02-11-425-003; 02-11-425-004; 02-11-425-005; 02-11-425-006; 02-11-425-007; 02-11-425-008; 02-11-425-009; 02-11-425-010; 02-11-425-011; 02-11-425-012; 02-11-425-013; 02-11-425-014; 02-11-425-015; 02-11-425-016; 02-11-425-017; 02-11-425-018; 02-11-425-019; 02-11-425-020; 02-11-452-001; 02-11-452-002; 02-11-452-003; 02-11-452-004; 02-11-452-005; 02-11-452-006; 02-11-452-007; 02-11-452-008; 02-11-452-009; 02-11-452-010; 02-11-452-011; 02-11-452-012; 02-11-452-013; 02-11-452-014; 02-11-452-015; 02-11-452-016; 02-11-452-017; 02-11-452-018; 02-11-452-019; 02-11-475-002; 02-11-475-003; 02-11-475-004; 02-11-475-005; 02-11-475-006; 02-11-475-007; 02-11-475-008; 02-11-475-009; 02-11-475-010; 02-11-475-011