

Village of Gilberts

Village Hall
87 Galligan Road, Gilberts, IL 60136
Ph. 847-428-2861 Fax: 847-428-2955
www.villageofgilberts.com

Village Administrator Memorandum 54-12

TO: President Rick Zirk
Board of Trustees

FROM: Ray Keller, Village Administrator *RK*

DATE: September 28, 2012

RE: Village Board Meeting – October 2, 2012

The following summary discusses the agenda items for the Village Board meeting scheduled for October 2, 2012:

1. CALL TO ORDER

2. ROLL CALL / ESTABLISH QUORUM

3. PUBLIC COMMENT

4. CONSENT AGENDA

A. Motion to approve Minutes from the September 18, 2012, Village Board Meeting

Staff recommend approval of the enclosed minutes from the September 18 Village Board meeting. Please contact Village Clerk Debra Meadows prior to the meeting if you have any questions or corrections.

B. Motion to approve Bills and Salaries Dated October 2, 2012

Please refer to the enclosed spreadsheet, which lists the bills to be approved. If you need additional information about any of these bills, please contact me or Finance Director Marlene Blocker prior to the meeting. Staff recommend approval.

5. ITEMS FOR APPROVAL

There are no items submitted for approval, except any items that may be removed from the Consent Agenda.

6. ITEMS FOR DISCUSSION

A. Ordinance to rezone property to I-1 Industrial and approve a new planned unit development (PUD) and accompanying plans for Prairie Corporate Park

Public Works Facility
Finance & Building Departments
73 Industrial Drive, Gilberts, IL 60136
Ph. 847-428-4167 Fax: 847-551-3382

Police Department
86 Railroad St., Gilberts, IL 60136
Ph. 847-428-2954 Fax 847-428-4232

Interstate Partners LLC, represented by Mark Ebacher, has submitted petitions to establish a new planned unit development (PUD) for the Prairie Corporate Park, a resubdivision of the Riemer Centre Industrial Park located at the southwest corner of Higgins and Tyrrell Roads.

Approval of the petitions would result in the rezoning and replatting of the 70+ acre parcel into lots intended for industrial, office and commercial/service uses. The proposed development concept utilizes sliver lots, which are multiple narrowly-shaped lots that facilitate aggregation into larger “buildable” lots. The sliver lots provide flexibility for assembling parcels sufficiently sized to accommodate a particular building concept, without tying up unneeded land that could have otherwise been put into productive development use.

To maintain consistency, the entire subject property would be zoned I-1 Industrial and would be subject to the PUD ordinance. The PUD ordinance allows the Village to customize the regulations to allow for commercial, industrial and office uses in appropriate areas within the development. The draft PUD regulations are based on the requirements established for the C-1, I-1 and O-1 zoning districts and are outlined in exhibits to the PUD ordinance. They have been reviewed and subsequently modified by the Plan Commission during their deliberations.

The proposed project will include the construction of looped water mains and sanitary sewers extending through the site, as shown on the preliminary engineering plans. The project will include a 12-inch water main extending westward along Sola Drive and then northward on Center Street, connecting to the water main that terminates at the Mobil Station. The project will also include finishing the roads started by the Riemer Centre development. The developer will be responsible for installing the final surfaces.

Access will be provided via access points on Higgins and Tyrrell Roads that have been approved by IDOT and KDOT, respectively. The access point on Higgins aligns with the proposed access point for the Town Center commercial property across from it on Higgins Road. A new public road will extend southward from this access point to intersect with Sola Drive. Interstate Partners worked with KDOT to relocate the right in/right out from Tyrrell Road to align with the proposed lot layout.

To maximize the project’s development potential, the developer is requesting a site coverage limit of 85%, compared to the 45% coverage typically permitted for industrial developments. To provide sufficient stormwater detention to support the higher-than-usual site coverage ratio, the developer will purchase stormwater detention credits from Phoenix & Associates. The Village previously entered into an agreement with Phoenix & Associates to create surplus capacity in the adjacent pond (Lot 50 of the Riemer Centre), which could then be sold to provide offsite detention. The purchase of 19.9 detention credits would provide an equivalent amount of stormwater storage while maximizing the amount of buildable land. Staff have worked with the Village Engineers, Phoenix & Associates, and the developer’s engineers to ensure that the purchase of the detention credits will provide adequate capacity to handle the runoff from the increased site coverage.

The existing berm along Tyrrell Road shall remain in place along the length of the development, protected by a permanent landscaping easement. The Zoning Code requires landscaping and screening for the parking areas and loading zones, which will be applied and reviewed at the time of site plan approval for each buildable lot. The developer will incorporate a six-foot multi- purpose trail into the development's design. Sidewalks will be carried to the north property line of the commercial sliver lots to line up with the sidewalks next to the commercial lots on the north side of Higgins Road.

The developer will record covenants, conditions and restrictions (CCRs) that would provide another layer of oversight and management beyond the Village's responsibilities as set forth by the PUD ordinance and the Zoning Code. The developer will establish a management association to manage and maintain all common features including the trail, landscaping, shared signage and shared stormwater management features. The Village will also establish a backup Special Service Area (SSA) that will remain dormant unless the management association fails to adequately address a stormwater or property maintenance issue.

The Plan Commission started the public hearing for this petition at their September 12 meeting and concluded it at their September 26 meeting. The Plan Commission recommended approval of the petition, subject to minor modifications to the permitted and special use lists to be attached to the PUD ordinance. Their recommended changes are included in the versions of the documents provided for the Board's review.

The draft ordinance is provided for the Village Board's preliminary review and discussion. With any questions or direction provided by the Board, Staff will prepare a final draft ordinance for the Board's consideration at the October 16 meeting. Staff also provided many of the exhibits that will be attached to the ordinance, including copies of the plats, plans and drawings describing how the project will be developed.

The developer is requesting financial assistance through the creation of a new Tax Increment Financing (TIF) district, which will be established by a separate approval process. The terms of the financial assistance will be outlined in a development agreement that will also be attached to the PUD ordinance. Staff are currently working with the TIF consultant and the developer's team to assemble the draft agreement.

Please let me know if additional support materials, such as copies of the staff reports to the Plan Commission or copies of the draft CCRs, will be needed prior to the meeting.

7. STAFF REPORTS

Staff will provide updates on current activities at the meeting.

8. BOARD OF TRUSTEES REPORTS

9. PRESIDENT'S REPORT

10. EXECUTIVE SESSION

Please contact me if you any questions about executive session topics.

11. ADJOURNMENT

Village Board of Trustees
Meeting Agenda
Village of Gilberts
87 GALLIGAN ROAD,
GILBERTS, ILLINOIS 60136
October 2, 2012
7:00 P.M.

A G E N D A

ORDER OF BUSINESS

- 1. CALL TO ORDER / PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL / ESTABLISH QUORUM**
- 3. PUBLIC COMMENT**
- 4. CONSENT AGENDA**
 - A. A Motion to approve Minutes from the September 18, 2012, Village Board Meeting
 - B. A Motion to approve Bills & Salaries dated October 2, 2012
- 5. ITEMS FOR APPROVAL**
- 6. ITEMS FOR DISCUSSION**
 - A. Ordinance to rezone property to I-1 Industrial and approve a new planned unit development (PUD) and accompanying plans for Prairie Corporate Park
- 7. STAFF REPORTS**
- 8. BOARD OF TRUSTEES REPORTS**
- 9. PRESIDENT'S REPORT**
- 10. EXECUTIVE SESSION**

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 102/2 (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.
- 11. ADJOURNMENT**

AUDIENCE PARTICIPATION

Anyone indicating a desire to speak during Public Comments will be acknowledged by the Village President. Please state your name, address and topic when called upon to speak. All remarks are to be addressed to the Village President and Board of Trustees as a whole, not to any specific person(s). Interrogation of the Village Staff, Village President, Village Board or any of their comments will not be allowed at this time. Personal invectives against Village Staff or Elected Officials are not permitted.

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 with Disabilities Act (ADA). For accessibility Assistance, please contact the Village Clerk at the Village Hall, telephone number 874/428-2861." *Assistive services will be provided upon request.*

4A

**Village of Gilberts
87 Galligan Road
Gilberts, IL 60136
Village Board Meeting Minutes
September 18, 2012**

Call to Order / Pledge of Allegiance

President Zirk called the meeting to order at 7:00 p.m. He proceeded to lead those present in the Pledge of Allegiance.

Roll Call / Establish Quorum

Village Clerk Meadows called the roll. Roll call: Members present: Trustees Corbett, Clark, Mierisch, Farrell, Hacker and President Zirk. Others present: Administrator Keller, Finance Director Blocker, Chief Building Inspector Swedberg, Assistant to the Village Administrator Beith and Village Clerk Meadows. For members of the audience please see the attached list.

Appointment

Appointment of Daniel Helsdon to the Police Pension Board

President Zirk reported that recently Police Pension Trustee Randy Meyer resigned from the Police Pension Board. Trustee Randy Meyer is also the Deputy Fire Chief and will be retiring from the department and moving out of the community.

President Zirk reported that Mr. Helsdon is a long time resident and previously served the community as a Village Trustee. He has expressed interest in filling the vacancy. President Zirk informed the Board that Mr. Helsdon has spoken with Chief Williams and has been made fully aware of his obligation as a Trustee on the Police Pension Board.

Trustee Zambetti arrived at 7:01 p.m.

A motion was made by Trustee Hacker and seconded by Trustee Clark to concur with President Zirk's recommendation to appoint Mr. Dan Helsdon to the Police Pension Board. Roll call: Vote: 6-ayes: Trustees Corbett, Clark, Mierisch, Farrell, Hacker and Zambetti. 0-nays, 0-abstained. Motion carried.

Public Comment

President Zirk asked if anyone in the audience wished to address the Board at this time.

Ms. Wendy Bogenholm-Griffith who resides at 10 Willey Street approached the Board. She commented on her concerns with respect to a zoning variance request brought forward by the resident who resides at 22 Willey Street.

Ms. Bogenholm-Griffith reported that her parents had purchased their home (10 Willey Street) twenty-five years ago. It was their first home. She discussed the difficulty that her family experienced during the past ten years living next to Mr. Layton's auto repair/bicycle home business. The yard is filled with debris and the noise generated from the business is disturbing.

Ms. Bogenholm-Griffith commented on conversations she has had with the Police Department. She stated that when a complaint is filed the noise and clutter will discontinue for a short time. However, soon after the activity will once again commence.

Ms. Bogenholm stated that her mother is disabled and unable to physically walk over and discuss her concerns with Mr. Layton. However, when her father was alive he had several conversations with Mr. Layton regarding his business operations.

In Ms. Bogenholm-Griffith's opinion the activities on the Layton's property decreases the value of her mother's home and her quality of life. She is strongly opposed to the Board granting Mr. Layton's variance request.

Ms. Bogenholm-Griffith thanked the Board Members for their time.

Consent Agenda

- A. A Motion to approve the Minutes from the September 4, 2012 Village Board Meeting**
- B. A Motion to approve the Minutes from the September 11, 2012 Committee of the Whole Meeting**
- C. A Motion to approve August 2012 Treasurer's Report**
- D. A Motion to approve the FY-2012 Audit**
- E. A Motion to approve Bills and Salaries Dated September 18, 2012 as follows: General Funds \$82,853.63, Performance Bonds and Escrows \$6,766.97, Water Fund \$15,491.61, Payroll \$56,162.13**
- F. A Motion to approve Resolution 24-2012, A Resolution approving the release of certain Executive Session Minutes**

A Motion was made by Trustee Zambetti and seconded by Trustee Farrell to approve the consent agenda as presented. Roll call: Vote: 6-ayes: Trustees Clark, Mierisch, Zambetti, Farrell, Hacker, and Corbett. 0-nays, 0-obstained. Motion carried.

Items for approval

Ordinance 24-2012, an Ordinance granting a variance from Section 3.5-3 "Home Occupations" of the Zoning Code for property located at 22 Willey St.

President Zirk provided all in attendance with an overview on the statutory obligations the Zoning Board of Appeals and the Board Members have when considering a variance petition. He commented on the fact that the petitioner must produce evidence of a hardship. The hardship cannot be self created or financial. The evidence needs to convey that the property under consideration holds a unique situation which justifies the variance requested. During the Public Hearing process the Zoning Board of Appeals is charged with the duty of conducting a Fact Finding mission. The purpose of the Fact Finding mission is to evaluate the petitioner's request and ensure that the request meets the criteria set-forth in the State Statutes. After the public hearing is concluded the Zoning Board of Appeals then makes a recommendation to the Board to approve, approve with condition or deny the request.

President Zirk commented on the Zoning Board of Appeals recommendation to approve the petitioner's variance request. President Zirk discussed the Board's options. He reported that the Board could concur with the ZBA's recommendation, amend their recommended list of conditions, deny the variance request, or remand it back to the ZBA.

There was some discussion with respect to the list of conditions.

Trustee Farrell expressed concern that the two objection letters were not read openly during the public hearing process.

Trustee Zambetti stated that in his opinion he sees no evidence of a hardship. He is unclear on the criteria the ZBA used to support their recommendation. ZBA Chairman Hagen explained that the newly created ZBA/PC Commission Members may have confused their roles and conducted the Fact Findings as Plan Commission Members while drafting the motion.

Mrs. Layton commented on the financial hardship they would experience if Mr. Layton was no longer allowed to continue with his automotive repair business. Trustee Zambetti was sympathetic to their situation. However, financial hardship is not a criteria allowed by State Statute.

President Zirk discussed the State Statutes governing variance requests. He reported the reason financial hardship is not a criterion option is to safeguard against Boards and Commissions granting variances on biased decisions.

Trustee Farrell thought the Board may want to consider remanding the variance petition back to the ZBA.

Trustee Mierisch stated she is struggling with the ZBA's recommendation. She expressed concern with their disregard to their statutory obligations. If approved the variance would open doors for other residents to request variances to operate nonconforming home businesses in residential neighborhoods. Trustee Mierisch also was in favor of remanding the variance request back to the ZBA due to the fact she does not feel they did their due diligence. She recommends staff provide the ZBA with assistance and educate them on the statutory requirements when considering variance petitions.

Trustee Clark agreed with Trustees Mierisch and Zambetti. However, remanding it back to the ZBA without any identifiable hardship just to serve as an educational exercise is prolonging the process.

There was some discussion with respect to the petitioner's application. The Board Members suggested the application be amended to require the applicant identify the legitimate hardship which would allow for a variance to be granted. Administrator Keller replied that he had met with the Layton's and explained the process and their obligations in producing evidence of a hardship other than financial and/or self created. Mrs. Layton reported that they failed to understand that financial hardship was not a valid hardship.

Trustee Corbett also agreed that there was no evidence that supports a legitimate hardship.

Trustee Hacker inquired if in the past a variance had ever been granted for this type of residential use. Trustee Clark replied no not to his knowledge.

Trustee Hacker agreed with Trustee Mierisch by granting the variance it would open the door for similar future requests.

Mr. and Mrs. Layton discussed their petition request. President Zirk explained in length examples of legitimate hardships. Mrs. Layton now understood the definition of legitimate hardship and that the burden of proof was solely their responsibility.

Trustee Clark suggested the Board table the motion to approve Ordinance 24-2012 and allow Mr. and Mrs. Layton two weeks to collect documentation evidencing that they have a justifiable hardship.

Trustee Mierisch directed Staff along with Attorney Tappendorf provide the ZBA/PC with the proper training so they understand their roles and are well versed with State Statutes.

Trustee Mierisch reiterated the fact that she had reviewed all the documents in the packet and found no evidence supporting a legitimate hardship.

Trustee Farrell recommended moving forward all objection letters are read openly during the public hearing process.

A Motion was made by Trustee Clark and seconded by Trustee Zambetti to table the Ordinance 24-2012, an Ordinance granting a variance from Section 3.5-3 "Home Occupations" of the Zoning Code for property located at 22 Willey Street. Roll call: Vote: 6-ayes: Trustee Mierisch, Zambetti, Farrell, Hacker, Corbett, and Clark. 0-nays, 0-abstained. Motion carried.

Items for Discussion

Tree Replacement Program

Chief Building Inspector Swedberg provided the Board Members with an overview on the proposed Tree Replacement Program. He reported that the program mirrors surrounding communities' tree replacement programs. The Village has funds in FY-2013 budget to support the cost sharing program. The Village will reimburse homeowners 50% of the tree replacement cost.

Chief Building Inspector Swedberg reported that he has been in contact with a nursery that needs to move their tree inventory. The average cost of a 2" caliper hardwood tree that is tolerant to the Illinois winter is \$125.00-\$150.00. In order to qualify for the program the tree must or should have been located in the public right-of-way. Chief Building Inspector Swedberg reported that he has been keeping a list since 2005 of residents that have had their dead trees removed and those residents will have first priority to participate in the program. The program will be promoted in the Village's newsletter and on the Village website. Chief Building Inspector Swedberg anticipates the program will be very popular.

Staff Reports

Administrator Keller reported that Scurto Cement Construction Inc. has patented a concrete product and applied a test segment on Sola Drive.

Trustee Reports

Trustee Mierisch inquired about the removal of the trees which were once located on the dead end section of old Galligan Road. Chief Building Inspector Swedberg reported that the trees died and have since been removed. Trustee Mierisch was concerned that this situation creates a potential safety hazard. There was some discussion on ways to resolve the situation.

Village Board
Meeting Minutes
September 18, 2012
Page 6

President's Reports

President Zirk reported unfortunately he attended Engineer Stefan's wife's visitation service on Sunday. Mrs. Wendy Stefan had been stricken with cancer and had battled the illness for several years.

Adjournment

There being no further business to discuss, **a Motion was made by Trustee Zambetti and seconded by Trustee Farrell to adjourn from the public meeting at 8:53 p.m.** Roll call: Vote: 6-ayes by unanimous voice vote. 0-nays, 0-abstained.

Respectfully submitted,

Debra Meadows

Sign in Sheet

[illegible]

4B

	VENDOR	TOTAL	GENERAL FUND	DEVELOPER DONATIONS AND/OR TIF	PERMIT PASS THRU	PERFORMANCE BONDS AND ESCROWS	WATER FUND	PAYROLL
	GRAND TOTAL	153,881.68	50,608.74	2,620.00	1,415.00	3,816.69	27,955.79	67,465.46
	BILLS ADDED AFTER PACKETS:							
B&W001	BAXTER & WOODMAN, INC	4,076.69	800.00		300.00	2,976.69		
CLARKE02	CLARKE ENVIRONMENTAL MOSQUITO	1,383.03	1,383.03					
EMBCOF	EMBASSY COFFEE	38.77	38.77					
ENV/CLEAN	ENVIRONCLEAN	58.00				58.00		
EXELON	EXELON ENERGY	6,059.71					6,059.71	
EXXON01	WRIGHT EXPRESS FSC (EXXON)	3,228.35	3,228.35					
GIL001	GILBERTS POSTMASTER	750.00	750.00				247.95	
HAC001	HACH COMPANY	247.95						
IML001	ILL MUNICIPAL LEAGUE	665.00	665.00					
KORECORD	KANE COUNTY RECORD	32.00	32.00					
LAUTER	LAUTERBACH & AMEN	4,420.00	3,800.00	620.00			488.00	
MANALY01	MCHENRY ANALYTICAL WATER	488.00						
MEADOWS	DEBRA MEADOWS	227.15	227.15					
MEN002	MENARDS CARPENTERSVILLE	71.84	28.93				42.91	
NAPA01	DUNDEE NAPA AUTO PARTS	170.10	170.10					
NEX001	NEXUS OFFICE SYSTEMS	99.74	99.74					
PAC001	PACES AUTO SERVICE	644.82	644.82					
RAO001	RAY O'HERRON CO.	193.50	193.50					
RUTLAND	RUTLAND DUNDEE FPD	2,000.00		2,000.00			1,114.01	
SES001	SMITH ECOLOGICAL SYSTEMS	1,114.01						
STAPLES	STAPLES ADVANTAGE	19.95	19.95					
SUBLAB01	SIBURBAN LABORATORIES	130.00					130.00	
T0000870	TONY OZZAUTO	58.00				58.00		
T0001400	RENEE REID	91.00	91.00					
T0001538	LORI KOSTREWA	58.00				58.00		
T0001539	NORMA URIOSTEGUI	58.00				58.00		
T0001540	TIMOTHY BRUELL	58.00				58.00		
ULTRA01	ULTRA STROBE COMMUNICATIONS	639.95	639.95					
VERIZ01	VERIZON WIRELESS	318.25	318.25					
	PAYROLL - 09/09/12 - 09/22/12	67,465.46						67,465.46
ACE002	ACE COFFEE BAR INC.	33.50	33.50					
AGALL001	ARTHUR J. GALLAGHER	23,314.42	19,384.95				3,929.47	
ASSOC/PUB	ASSOC. OF PUBLIC TREASURES	110.00	110.00					
AT&TUV01	AT&T U-VERSE	75.00	75.00					
B&F001	B&F TECHNICAL CODE SVC. INC.	1,935.00	270.00		1,115.00	550.00		
B&W002	B&W CONTROL SYSTEMS INTEGRATION	1,418.34	855.27				563.07	
BPC001	BENEFIT PLANNING CONSULTANTS,	100.00	100.00					

	VENDOR	TOTAL	GENERAL FUND	DEVELOPER DONATIONS AND/OR TIF	PERMIT PASS THRU	PERFORMANCE BONDS AND ESCROWS	WATER FUND	PAYROLL
CALLONE	CALL ONE	1,089.95	850.06				239.89	
CAN01	CANON FINANCIAL SERVICES, INC.	800.00	690.00				110.00	
COM003	COMMONWEALTH EDISON	185.85	185.85					
EXELON	EXELON ENERGY INC.	7,928.74	168.76				7,759.98	
EXXON01	WRIGHT EXPRESS FSC	1,887.85	1,546.53				341.32	
FACILITY	FACILITY SOLUTIONS GROUP	988.00	988.00					
GRAINGER	GRAINGER	201.96					201.96	
ILL002	IL DEPT OF EMPLOYMENT SECURITY	1,210.72	1,210.72					
JUST001	JUST TIRES	429.50	429.50					
KANETRAN	KANE COUNTY DIVISION OF	1,813.20	1,813.20					
KCRECORD	KANE COUNTY RECORDER	384.00	384.00					
LAYTON	TIM & ATHENA LAYTON	438.80	438.80					
MANALY01	MCHENRY ANALYTICAL WATER	477.00					477.00	
MARTLEAS	MARTIN LEASING, INC.	92.64	92.64					
MEN002	MENARDS - CARPENTERSVILLE	220.52	188.96				51.56	
MORTSALT	MORTON SALT, INC	2,683.52					2,683.52	
MUN001	MUNICIPAL MARKING DIST	18.95	18.95					
NAPA01	DUNDEE NAPA AUTO PARTS	211.32	211.32					
NEXT01	NEXTEL COMMUNICATIONS	488.58	364.23				124.35	
NWWS01	FERGUSON WATERWORKS	1,598.25					1,598.25	
PETT01	P.F. PETTIBONE & CO.	46.45	46.45					
SCUFF01	RICHARD SPINKER	1,045.25	1,045.25					
SECSTATE	SECRETARY OF STATE	10.00	10.00					
STAPLES	STAPLES ADVANTAGE	135.02	88.74				46.28	
STERLING	STERLING CODIFIERS, INC.	643.00	643.00					
SUBLAB01	SUBURBAN LABORATORIES	500.00					500.00	
TRUGREEN	TRUGREEN	1,646.00	1,646.00					
UNION01	UNION NATIONAL BANK OF ELGIN	3,510.54	3,510.54					
VIKING01	VIKING CHEMICAL CO	647.00					647.00	
WCOM01	COMMONWEALTH EDISON-WATER	599.56					599.56	
WHITECAP	WHITE CAP CONSTRUCTION SUPPLY	97.98	97.98					

Village of Gilberts	
Check Warrant Report	
Payroll Checks From 09/09/12 - 09/22/12	
Employee Name:	Net Pay
Blocker, Marlene	1,659.31
Meadows, Debra	1,497.01
Sorenson, Shirley	1,176.92
Danca, Karen	553.35
Beith, William	373.50
Keller, Raymond B.	2,443.29
Joswick, Michael	2,058.39
Thomas, Randall	15.68
Joswick, Christopher	195.69
Mueller, Steve	250.98
Izydorski, Michael	1,232.34
Meador, Eric E.	1,449.57
Hernandez, Jason	388.28
Rood, Jackie E. Jr	1,951.95
Block, Todd J	2,106.00
Pulgar, Hector L	1,767.59
Oberth, Michael	1,474.92
Hill, Jeff R	1,272.13
Levand, James A	1,049.43
Williams, Steven	2,509.45
Schuring, Larry	781.05
Klaras, Jason	1,110.66
Bethke, Daniel	361.25
Sheppard, Paul	1,234.34
Foley, Aaron	1,224.36
Stokes, Janet	970.54
Swedberg, John L	2,104.65
Castillo, John	1,769.50
Varas, Randy	1,435.64
Siegbahn, Lisa	688.67
Davidowski, Susan	22.34
Hagan, Douglas	23.59
Borgardt, Robert	22.34
Del Vecchio, Valerie	23.59
McHone, Kevin	22.34
Mills, Randall	23.59
LeClerq, David	22.34
Sullivan, Matthew	22.34
Zirk, Rick	321.66
Hacker, Louis	178.37
Corbett, Dan	223.37
Clark, Everett	169.16
Mierisch, Patricia	231.70
Zambetti, Guy	160.83
Farrell, Nancy	160.83
Payroll Liabilities:	
Federal Tax Deposits	12,919.32
Gilberts Police Benevolent	65.00
Illinois Department of Revenue	2,509.40
State Disbursement Unit-Cook	186.57
KCC State Disbursement Unit	116.01
State Disbursement Unit	323.00
ICMA-RC	337.47
MAP	186.00
Central United Life Insurance	108.28
Gilberts Police Pension	3,553.78
IMRF	8,425.80
Total All Checks	67,465.46

6A

**AN ORDINANCE APPROVING A MAP AMENDMENT (REZONING),
PLANNED UNIT DEVELOPMENT, SUBDIVISION PLAT, VACATION OF
EASEMENTS, AND OTHER PLANS FOR PRAIRIE CORPORATE PARK**

WHEREAS, Interstate Partners LLC ("**Interstate**") is the owner and developer of the property located at the southwest corner of Illinois Route 72 and Tyrell Road, and legally described in **Exhibit A** ("**Interstate Property**"); and

WHEREAS, Koplos Living Trust ("**Koplos**") is the owner of Lots 23 and 24 of the Riemer Centre Subdivision ("**Koplos Property**"), and legally described in **Exhibit B**; and

WHEREAS, Interstate proposes to develop the Interstate Property as a mixed-use corporate industrial park development consisting of industrial, retail, and office uses, as well as various public improvements; and

WHEREAS, Interstate, Koplos, and the Village have entered into a Development Agreement to set forth the terms and condition by which the Interstate Property will be developed, used, and maintained ("**Development Agreement**"); and

WHEREAS, Interstate has also asked that the Village approve the vacation of various lots and easements approved on the previously approved subdivision plat ("**Vacation Plat**"); and

WHEREAS, Interstate has filed an application with the Village requesting approval of (1) rezoning of the entire Property to the I-1 Industrial District, (2) a special use permit for a planned unit development (PUD); (3) subdivision plans; (4) vacation of easements; and (5) preliminary engineering and various other plans for development of the Interstate Property ("**Zoning and Development Approvals**"); and

WHEREAS, Koplos has joined Interstate's application so that both the Interstate Property and the Koplos Property will be subject to the Zoning and Development Approvals (both Interstate and Koplos shall be referred to collectively as "**Owners**" and the Interstate Property and the Koplos Property shall be collectively referred to as the "**Property**"); and

WHEREAS, the Village Plan Commission held a public hearing on the Development Approvals on September 12, 2012, continued to September 26, 2012, and made a recommendation of approval of the Zoning and Development Approvals to the Corporate Authorities; and

WHEREAS, the Corporate Authorities of the Village have considered the request for approval of the Zoning and Development Approvals and determined that the requested approvals are in the best interests of the Village and its residents, subject to the conditions contained in this Ordinance and the Development Agreement; and

THEREFORE, BE IT ORDAINED 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 Ordinance as though set forth in this Section 1.

Section 2. Rezoning. Subject to the conditions set forth in Section 7 of this Ordinance, as well as the other approvals granted by this Ordinance and the Development Agreement, the Village President and Board of Trustees hereby approve the rezoning of the Property to the I-1 Industrial District.

Section 3. Vacation of Easements. Subject to the conditions set forth in Section 7 of this Ordinance, as well as the other approvals granted by this Ordinance and the Development Agreement, the Village President and Board of Trustees hereby approve the Plat of Vacation of Easements attached hereto as **Exhibit C** ("*Vacation Plat*").

Section 4. Approval of Preliminary Subdivision Plat. Subject to the conditions set forth in Section 7 of this Ordinance, as well as the other approvals granted by this Ordinance and the Development Agreement, the Village President and Board of Trustees hereby approve the Preliminary Plat of Subdivision attached hereto as **Exhibit D** ("*Subdivision Plat*").

Section 5. Approval of a Planned Unit Development. Subject to the conditions set forth in Section 7 of this Ordinance, as well as the approvals granted by this Ordinance and the Development Agreement, the Village President and Board of Trustees hereby grant a special use permit for a planned unit development for the Property. In connection with the approval of the planned unit development, the Village Board hereby grants relief from various requirements of the Village codes and ordinances as necessary to permit the development of the Property as depicted on the Preliminary Plans approved in Section 6 of this Ordinance.

Section 6. Approval of Preliminary Plans. Subject to the conditions set forth in Section 7 of this Ordinance, as well as the other approvals granted by this Ordinance and the Development Agreement, the Village President and Board of Trustees hereby approve the following plans for development of the Property:

1. the Preliminary PUD Plans attached as **Exhibit E**.
2. the Preliminary Engineering Plans attached as **Exhibit F**.

(collectively, the "*Preliminary Plans*")

Section 7. Conditions. The approvals granted in Sections 2 through 6 of this Ordinance 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 Ordinance 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 Property pursuant to the approvals granted in this Ordinance except only after all conditions of this Ordinance precedent to such work have been fulfilled, including without limitation approval and recordation of a final plat of subdivision and final planned unit development plat and Village approval of final engineering plans for the proposed development, 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; provided that, subject to Village approval of an at-risk agreement, the owners of the Property may seek Village approval for, and commence solely at their own risk, mass grading of the Property prior to fulfillment of said conditions.
- B. Compliance with Laws. Except as otherwise provided by the Development Agreement, the Zoning Code, the Subdivision Code, the Building Code, and all other applicable ordinances and regulations of the Village shall continue to apply to the Property, and the development and use of the Property shall be in compliance with all laws and regulations of all other federal, state, and local governments and agencies having jurisdiction over the Property.
- C. Compliance with Development Agreement. The development, maintenance, and use of the Property shall be subject to the Development Agreement between Interstate, Koplos, and the Village approved immediately prior to the approval of this Ordinance. A copy of the Development Agreement is attached as **Exhibit G** and incorporated herein as if fully set forth in this Subsection.
- D. Final Plan and Plat Approvals.
1. Final Subdivision Plat. Within 3 months after the effective date of this Ordinance, the Owners shall submit for review and approval a final subdivision plat ("**Final Subdivision Plat**") for the entire Property, which shall substantially conform to the Preliminary Subdivision Plat. The Final Subdivision Plat shall depict all detention and open space areas as depicted on the Preliminary Subdivision Plat and PUD Plans, and shall contain language reasonably approved by the Village Attorney restricting development within such areas.
 2. Final PUD and Engineering Plans. The applicable owner shall submit to the Village for its review and approval Final PUD Plans ("**Final PUD Plans**") and Final Engineering Plans ("**Final Engineering Plans**") for the proposed development, which plans shall substantially conform to the Preliminary PUD Plans and the Preliminary Engineering Plans attached to this Ordinance as **Exhibits E and F**. The Final PUD and Final Engineering Plans may be submitted for approval by the Village in phases, in which case at least the first phase shall be submitted within 3 months. The complete Final PUD Plan and Final Engineering Plan applications for all phases shall be submitted within 36 months after the effective date of this Ordinance, unless extended by resolution of the Village Board. The Final PUD and Final Engineering Plan for each phase shall depict the location and layout of individual buildings and lots within that phase of

the Property as well as all parking spaces for that phase of the Property. The failure to submit an application for approval of a Final PUD Plan and Final Engineering Plan for any lot on the Property within the time periods set forth in this Subsection shall render null and void the approvals granted in this Ordinance for that lot.

- E. Landscape Plans. Landscaping for the common areas on the Property shall be installed pursuant to the landscape plan approved by the Village as part of the Final PUD Engineering Plans. The applicable Owner shall be required to maintain the landscaping on the Property in accordance with good arboricultural and landscaping practices.
- F. Use and Development Regulations. The following use, bulk, and other regulations will apply to the use and development of the specified lots on the Property:
1. Industrial Area. The lots identified on the Preliminary Plans as Lots 29-30 and 44-65 of the Interstate Property and the Koplos Property are intended for industrial development ("**Industrial Area**"). The use and development of the Industrial Area shall be subject to the use, bulk, and other regulations set forth in **Exhibit H**, which is incorporated into this paragraph as if set forth fully herein.
 2. Retail Area. The lots identified on the Preliminary Plans as Lots 1-27 of the Property are intended for retail, office, and other commercial development ("**Retail Area**"). The use and development of the Retail Area shall be subject to the use, bulk, and other regulations set forth in **Exhibit I**, which is incorporated into this paragraph as if set forth fully herein.
 3. Office Area. The lots identified on the Preliminary Plans as Lots 31-43 of the Property are intended for commercial, office, and light-industrial development ("**Office Area**"). The use and development of the Office Area shall be subject to the use, bulk, and other regulations set forth in **Exhibit J**, which is incorporated into this paragraph as if set forth fully herein.

In the event there is an inconsistency between the regulations set forth in Exhibits H, I, and J for a particular area and the requirements set forth in the Village's code and ordinances, then the regulations set forth in the respective Exhibit for that area will control. Where no inconsistency exists or where the Exhibit is silent as to a particular regulation, then the requirements of the Village's code and ordinances will apply unless otherwise expressly modified pursuant to the Development Agreement or this Ordinance.

- G. Impervious Surface Coverage. The Property shall be permitted to be developed with a maximum site coverage of 85% rather than the required 45% in the I-1 district.
- H. Parking. Parking to serve the Proposed Development shall be installed on the Property in accordance with the Preliminary PUD Plans; provided, however, that the final layout of the parking on the Property shall be approved as part of the Final PUD Plans.

- I. Improvements. All improvements on the Property shall be installed in accordance with the approved Final Engineering Plans and at Interstate's sole cost and expense. Interstate shall provide sufficient security for all required improvements for the proposed development in accordance with the Development Agreement.
- J. Water and Sewer Service. Water and sewer service shall be provided at Interstate's sole cost and expense and in accordance with the Preliminary and Final Engineering Plans, which plans shall be subject to the reasonable review and approval of the Village Engineer.
- K. Storm Water Detention and Drainage. Adequate storm water facilities to serve the Property shall be provided at Interstate's sole cost and expense and in accordance with the Preliminary and Final Engineering Plans, which plans shall be subject to the reasonable review and approval of the Village Engineer. To the extent that sufficient facilities are not provided on-site, Interstate shall be required to purchase detention credits in the remaining amount necessary to comply with Village storm water regulations and in accordance with the Development Agreement.
- L. Roadways. All roads within the Proposed Development shall be constructed, maintained, and installed at Interstate's sole cost and expense and in accordance with the Preliminary and Final Engineering Plans, as reasonably reviewed and approved by the Village Engineer.
- M. Trail. Interstate shall construct and complete, at its sole cost and expense, a pedestrian trail in the locations depicted on the Preliminary PUD Plans, which trail shall be subject to the reasonable review and approval by the Village Engineer. The final layout and location of the trail shall be approved as part of the Final PUD and Engineering Plans.
- N. Declaration of Covenants and Restrictions. Prior to the recordation of the Final PUD Plat, Interstate shall record a declaration of covenants and restrictions, which declaration shall be subject to the reasonable review and approval of the Village Attorney in accordance with the terms of the Development Agreement. The declaration of covenants and restrictions recorded with the final plat shall substantially comply with the draft declarations attached hereto as **Exhibit K**.
- O. Signage. All signage for the proposed development shall be installed in accordance with the signage plan included as part of the Preliminary PUD Plans attached to this Ordinance. Any additional signage, including any comprehensive sign package for the Property or any phase of development of the Property, must be reviewed and approved by the Village prior to installation of such signage on the Property. The exhibits depicting the signage package, including any typical or scale drawings, are attached hereto as **Exhibit L**.
- P. Fees and Costs. Subject to the terms of the Development Agreement, at Interstate's sole cost and expense shall be responsible for paying all applicable fees relating to the granting of the approvals set forth herein. In addition, at Interstate's sole cost and expense shall reimburse the Village for all of its reasonable costs (including without limitation engineering, planning, and legal expenses) incurred in connection with the

review, consideration, approval, implementation, or successful enforcement of this Ordinance. Any amount not paid within 30 days after delivery of a demand in writing for such payment shall, along with interest and the costs of collection, become a lien upon the Property, and the Village shall have the right to foreclose such lien in the name of the Village as in the case of foreclosure of liens against real estate.

- Q. Transferees. Subject to the terms of the Annexation Agreement, the rights and obligations set forth in this Ordinance shall be binding on the Owners and upon any and all of such Owners' heirs, successors, and assigns, and upon any and all successor legal or beneficial owners of all or any portion of the Property. To the extent that a successor becomes bound to the obligation created herein pursuant to a transferee assumption agreement reasonably acceptable to the Village, and such successor demonstrates to the Village that it has the financial viability to meet the obligations herein, the Owner shall be released from its obligations under this Ordinance to the extent of the transferee's assumption of such liability. The failure of the Owner to provide the Village with an enforceable transferee assumption agreement as herein provided shall result in the Owner remaining fully liable for all of its obligations under this Ordinance but shall not relieve the transferee of its liability for all such obligations as a successor to the Owner.
- R. Amendments. Unless otherwise precluded by state law, applications to amend or make administrative or minor changes to this Ordinance, or for other land use approvals for the Property (including but not limited to special use permits), need only be executed by the owner or owners of that portion of the Property that is the subject matter of any such application, and shall not require the authorization or execution by the owner or owners of any other portion of the Property.

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

Section 8. Severability. In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

Section 9. 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 ordinances.

Section 10. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law; provided, however, that this Ordinance shall be of no force or effect unless and until (i) the Owners have caused a duly authorized person to execute and file with the Village their unconditional agreement and consent, in the form attached hereto as **Exhibit M** and by this reference incorporated herein and made a part hereof and (ii) the Development Agreement has been duly executed by all parties thereto. If the Owners do not file their unconditional agreement and consent with the Village within 30 days following the

passage of this Ordinance, or within such greater time as the Village Board may approve by motion, the Village Board may, in its discretion and without public notice or hearing, repeal this Ordinance and thereby revoke the special use permit granted in this Ordinance. Upon this Ordinance having full force and effect, the Village Clerk shall cause it to be recorded in the Office of the Kane County, Illinois Recorder of Deeds.

PASSED BY ROLL CALL VOTE OF THE BOARD OF TRUSTEES of the Village of Gilberts, Kane County, Illinois, this _____ day of _____, 2012.

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Everett Clark	_____	_____	_____	_____
Trustee Dan Corbett	_____	_____	_____	_____
Trustee Louis Hacker	_____	_____	_____	_____
Trustee Nancy Farrell	_____	_____	_____	_____
Trustee Patricia Mierisch	_____	_____	_____	_____
Trustee Guy Zambetti	_____	_____	_____	_____
President Rick Zirk	_____	_____	_____	_____

APPROVED this _____ day of _____, 2012

(SEAL)

Village President Rick Zirk

ATTEST: _____
Village Clerk, Debra Meadows

Published: _____

LIST OF EXHIBITS

- A. Legal Description of Interstate Property
- B. Legal Description of Koplos Property
- C. Vacation of Easements Plat
- D. Subdivision Plat
- E. Preliminary PUD Plans
- F. Preliminary Engineering Plans
- G. Development Agreement
- H. Industrial Area Regulations
- I. Retail Area Regulations
- J. Office Area Regulations
- K. Declaration of Covenants, Conditions and Restrictions
- L. Signage Exhibits and Details
- M. Unconditional Agreement and Consent

Exhibit M

Unconditional Agreement and Consent

Pursuant to Section 10 of Gilberts Ordinance No. _____, and to induce the Village to grant the approvals provided for in such Ordinance, the undersigneds acknowledge for themselves and their successors and assigns in title to the Property that they

1. have read and understand all of the terms and provisions of this Ordinance;
2. hereby unconditionally agree to accept, consent to, and abide by all of the terms, conditions, restrictions, and provisions of this Ordinance, the Gilberts Zoning Code, and all other applicable codes, ordinances, rules, and regulations, subject to the terms of the Development Agreement;
3. acknowledge and agree that the Village is not and shall not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's issuance of any permits for the use of the Property, and that the Village's issuance of any permit does not, and shall not, in any way, be deemed to insure either of the undersigned against damage or injury of any kind and at any time;
4. acknowledge that the public notices and hearings have been properly given and held with respect to the adoption of the Ordinance;
5. agree to and do hereby hold harmless, defend, and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of these parties with respect to the Property and the Village's adoption of the Ordinance or granting the approvals to the undersigned pursuant to the Ordinance, except as may arise as a result of the Village's gross negligence or willful misconduct; and
6. represent and acknowledge that the persons signing this Unconditional Agreement and Consent are duly authorized to do so on their behalf.

INTERSTATE PARTNERS

By: _____

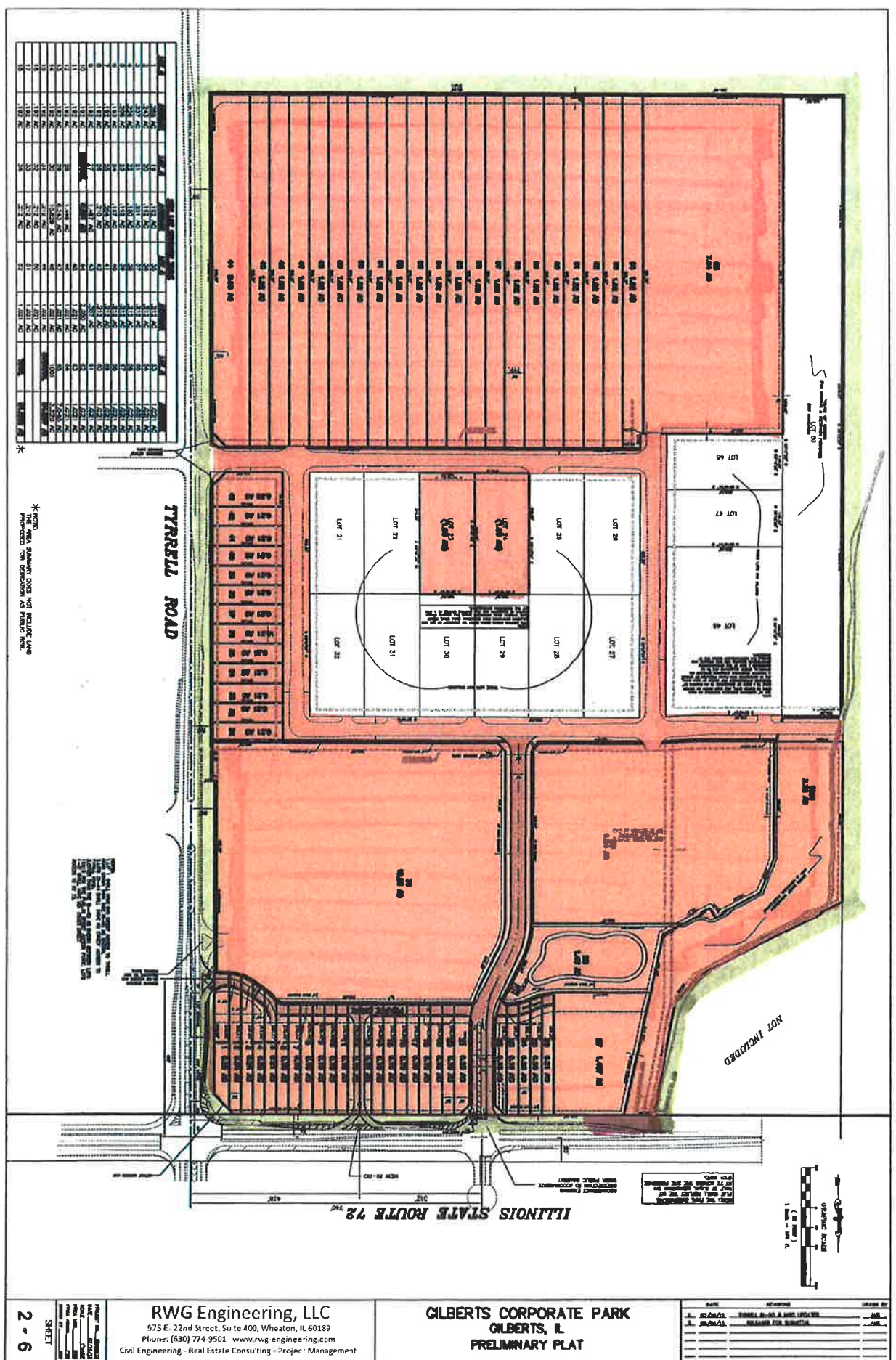
Its: _____

KOPLOS LIVING TRUST

By: _____

Its: _____

METES & BOUNDS LEGAL TO ENCUMBRANCES BEING REFINANCED AND THEN EXCEPT OUT LOTS 21, 22, 25-32, 46-48, & 50.
 (AND NOT TO INCLUDE THE ADDL 127' DEDICATION OF R.T. 72 R.O.W.)



2 of 6

SHEET

RWG Engineering, LLC
 575 E. 22nd Street, Suite 400, Wheaton, IL 60189
 Phone: (630) 774-9501 www.rwg-engineering.com
 Civil Engineering - Real Estate Consulting - Project Management

GILBERTS CORPORATE PARK
GILBERTS, IL
PRELIMINARY PLAT

DATE	REVISION	BY
01/26/11	TYRRELL PLAT & ADDL LOT 100	AW
01/26/11	REVISION FOR SUBMITTAL	AW

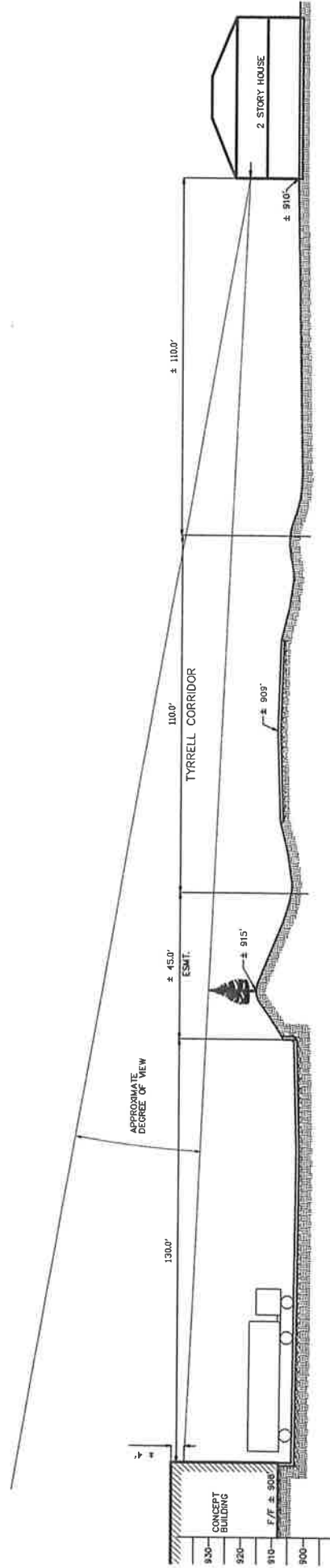
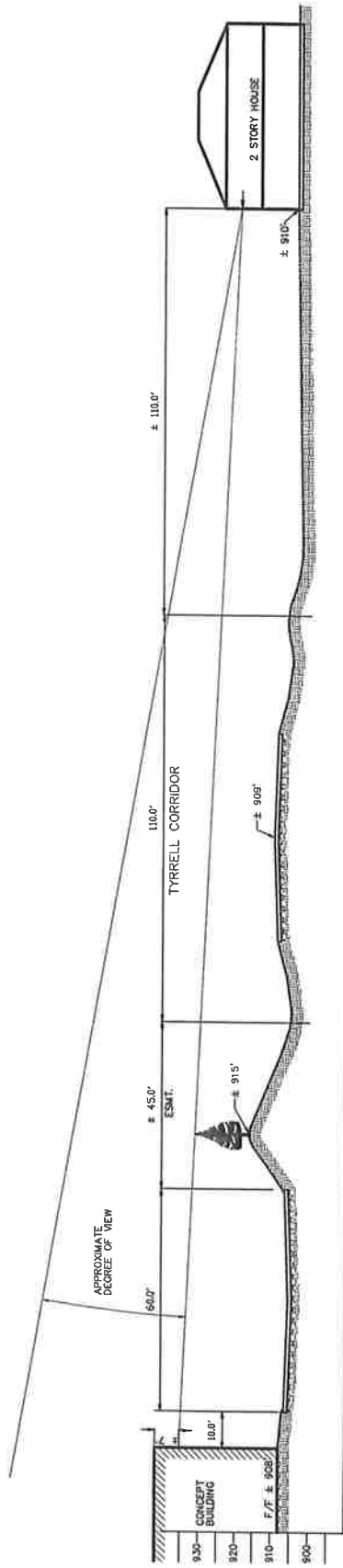
© COPYRIGHT 2011

Locator map showing area included
 in petitions for Gilberts Corporate Park PUD

"Typical elevation"
for proposed buildings







CONCEPT VIEW X-SECTIONS
(SOUTH OF ARROWHEAD DRIVE)

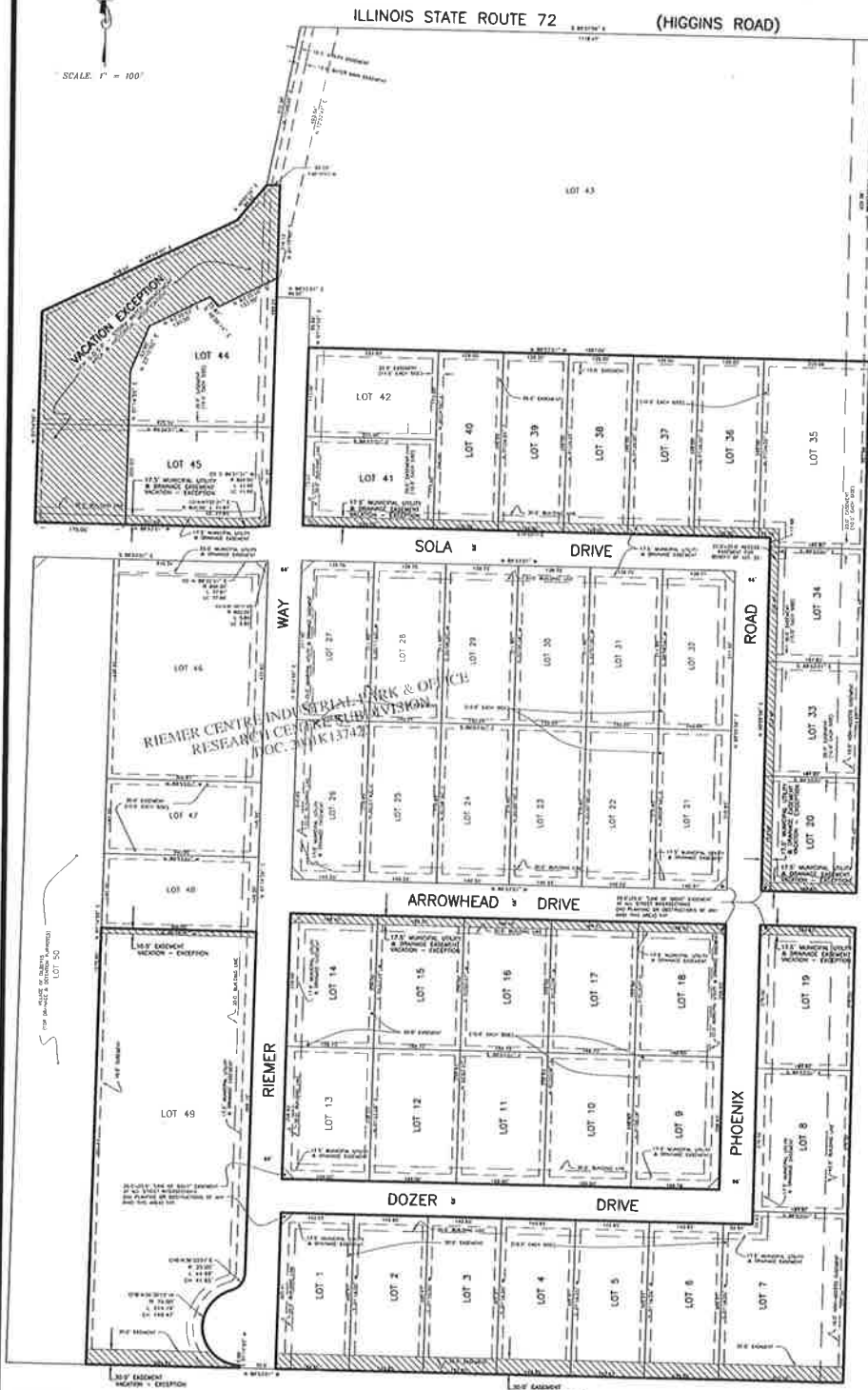
Exhibit showing perspective of building/burn from Indian Trails - drawing to horizontal / vertical scale
Produced by Interstate Partners / Bob Gurmudson for 9/26/12 Plan Commission meeting

PLAT OF VACATION OF MUNICIPAL, UTILITY, LINE OF SIGHT, AND DRAINAGE EASEMENTS WITHIN RIEMER CENTRE INDUSTRIAL PARK & OFFICE RESEARCH CENTRE SUBDIVISION VILLAGE of GILBERTS, ILLINOIS

LEGAL: ALL MUNICIPAL, UTILITY, LINE OF SIGHT, AND DRAINAGE EASEMENTS, OVER UNDER AND ACROSS THE FOLLOWING LOTS 1 THROUGH 20 (INCLUSIVE), 33 THROUGH 42 (INCLUSIVE), 44, 45, AND 49, EXCEPTING THEREFROM THE EASTERN OVER THE SOUTH 30.0 FEET OF SAID LOTS 1 THROUGH 7 (INCLUSIVE), ALSO EXCEPTING THEREFROM THE 17.5 FOOT MUNICIPAL UTILITY & DRAINAGE EASEMENT OVER THE NORTH 17.5 FEET OF SAID LOTS 14 THROUGH 19 (INCLUSIVE), ALSO EXCEPTING THEREFROM THE 17.5 FOOT MUNICIPAL UTILITY & DRAINAGE EASEMENT OVER THE SOUTH 17.5 FEET OF SAID LOT 30, ALSO EXCEPTING THEREFROM THE 17.5 FOOT MUNICIPAL UTILITY & DRAINAGE EASEMENT OVER THE WEST 17.5 FEET OF SAID LOTS 20, 33, AND 34, ALSO EXCEPTING THEREFROM THE 17.5 FOOT MUNICIPAL UTILITY & DRAINAGE EASEMENT OVER THE SOUTH 17.5 FEET OF SAID LOT 45, ALSO EXCEPTING THEREFROM THAT PART OF LOTS 44 AND 45 DELINEATED AS NEW D.O.S.P. - STORM WATER MANAGEMENT AREA - HISTORICAL MODIFICATION, ALSO EXCEPTING THEREFROM THE EASEMENT OVER THE SOUTH 30.0 FEET OF SAID LOT 49, ALSO EXCEPTING THEREFROM THE 17.5 FOOT MUNICIPAL UTILITY & DRAINAGE EASEMENT OVER THE EASTERN 17.5 FEET OF THE SOUTH 30.0 FEET OF SAID LOT 49, ALSO EXCEPTING THEREFROM THE PART OF THE EAST HALF OF THE SOUTHWEST QUARTER, AND THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 42 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 27, 2001, AS DOCUMENT 2001-137422, IN KANE COUNTY, ILLINOIS.

COUNTY RECORDER
STATE OF ILLINOIS
COUNTY OF KANE
THIS INSTRUMENT NO. _____ WAS FILED FOR
RECORD IN THE RECORDER OF DEEDS OFFICE OF KANE
COUNTY, ILLINOIS, ON THE _____ DAY OF
A.D. 2012 AT _____ O'CLOCK P.M.
KANE COUNTY RECORDER

SCALE: 1" = 100'



OWNER'S CERTIFICATE
STATE OF ILLINOIS
COUNTY OF KANE
I, _____, being the owner of the above described premises, do hereby certify that
this is a true and correct copy of the original as the same appears of record in the
Recorder of Deeds Office of Kane County, Illinois, and that no other person has any right, title,
claim, or interest in said premises, and that I have not caused the same to be surveyed and
platted in violation of any law, and do hereby acknowledge and agree that
the same may be used for any purpose.

OWNER'S CERTIFICATE
STATE OF ILLINOIS
COUNTY OF KANE
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platted in violation of any law, and do hereby acknowledge and agree that
the same may be used for any purpose.

(SIGNED)
Notary Public

ROAD
TYRRELL ROAD

EASEMENT DISCLAIMER
KNOW ALL MEN BY THESE PRESENTS THAT THE ABOVE HAVING NO FACILITIES LOCATED
THEREON AND ANTIPODING NO FUTURE NEED THEREIN, HEREBY DISCLAIMS ALL
RIGHT, TITLE, AND INTEREST IT MAY HAVE IN AND TO ANY AND ALL PUBLIC
UTILITY EASEMENTS GRANTED AND RESERVED ON DECEMBER 27, 2001, THE PLAT
OF SUBDIVISION RESEARCH CENTRE INDUSTRIAL PARK & OFFICE RESEARCH CENTRE
SUBDIVISION, RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF KANE
COUNTY, ILLINOIS, ON DECEMBER 27, 2001, AS DOCUMENT NUMBER 2001-137422.

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COUNTY, ILLINOIS, ON DECEMBER 27, 2001, AS DOCUMENT NUMBER 2001-137422.

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SUBDIVISION, RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF KANE
COUNTY, ILLINOIS, ON DECEMBER 27, 2001, AS DOCUMENT NUMBER 2001-137422.

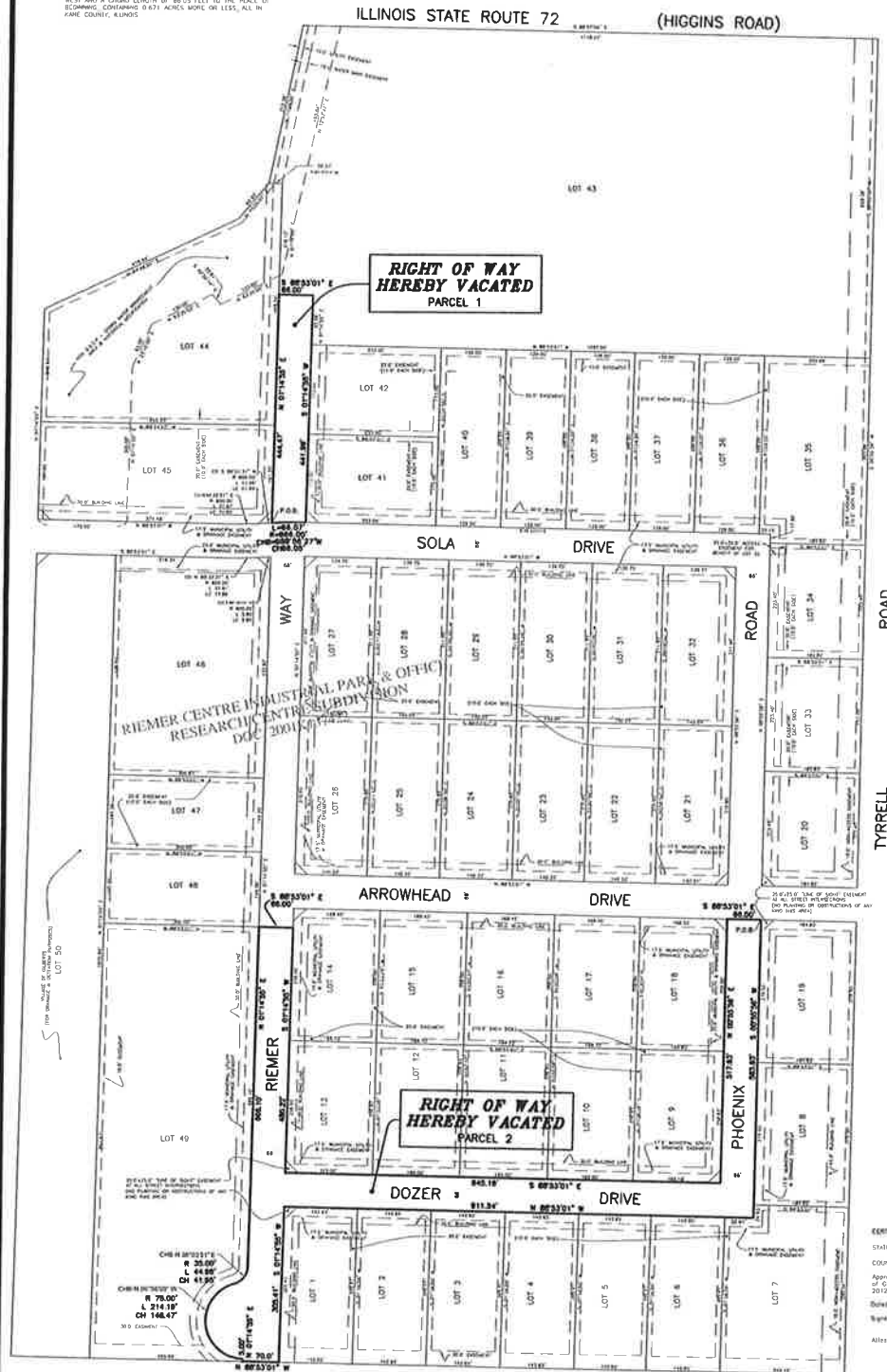
STATE OF ILLINOIS
COUNTY OF KANE
I, _____, being the owner of the above described premises, do hereby certify that
this is a true and correct copy of the original as the same appears of record in the
Recorder of Deeds Office of Kane County, Illinois, and that no other person has any right, title,
claim, or interest in said premises, and that I have not caused the same to be surveyed and
platted in violation of any law, and do hereby acknowledge and agree that
the same may be used for any purpose.

RIEMER CENTRE INDUSTRIAL PARK & OFFICE RESEARCH CENTRE SUBDIVISION
DOC. 2001-137422



**TERRA TECHNOLOGY
LAND SURVEYING, INC.**
2018 ROSE AVE. LAKE ZURICH, ILLINOIS 60047
(PH) 847.444.0000 FAX 847.444.0001
VACATION - EASEMENTS - RIEMER CENTER
SUBDIVISION
DATE FILED: 2012 JAN 10 PLAT # 2001-137422

PLAT OF VACATION
OF ROAD RIGHT OF WAY
WITHIN THE
VILLAGE of GILBERTS, ILLINOIS

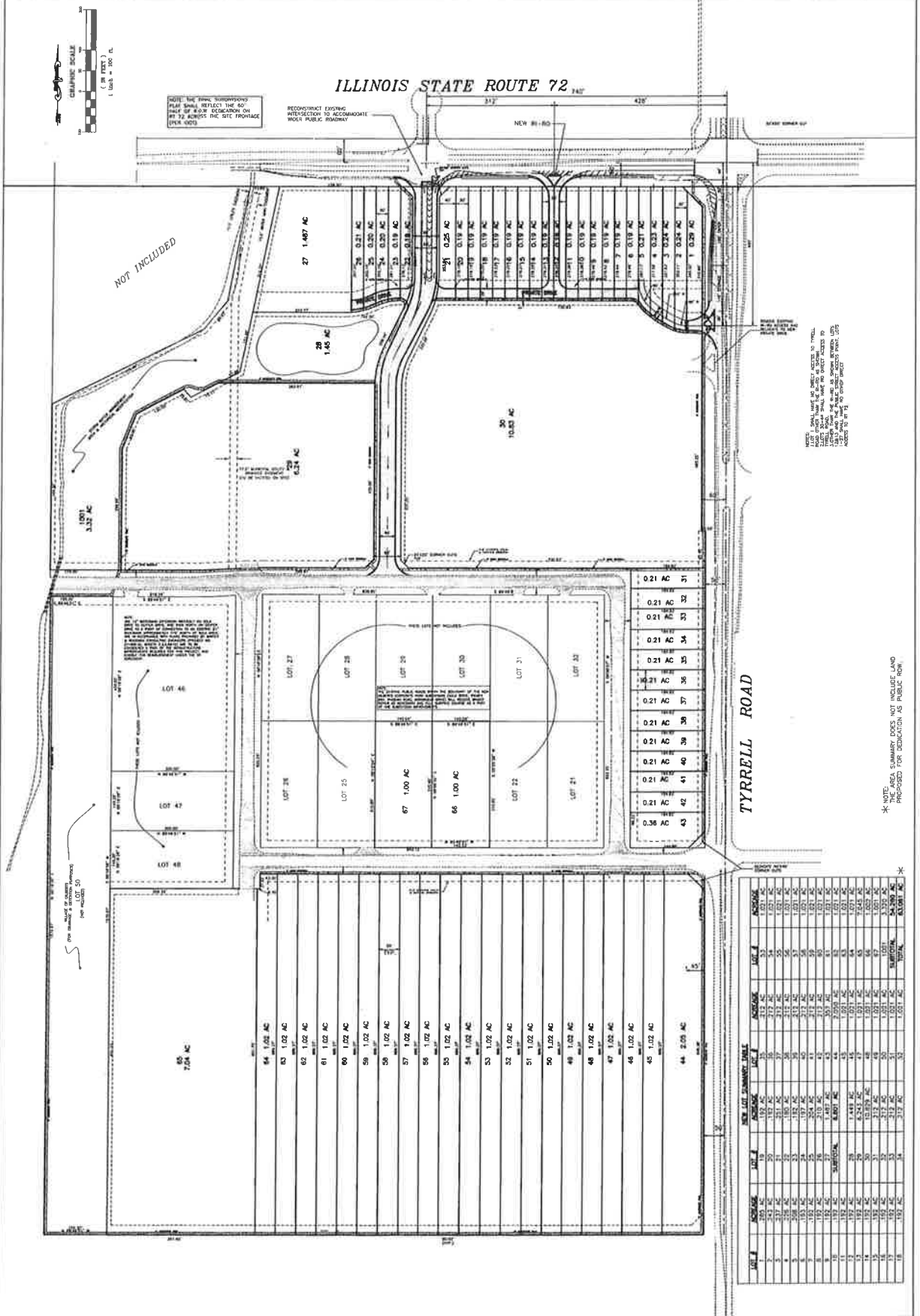
[illegible]

DOI: 10.1002/for

2 of 6 SHEET

GILBERTS CORPORATE PARK
GILBERTS, IL
PRELIMINARY PLAT

END: INH000000			
SAY	ELVAT KUNUT LUTJANSKY/ANNA	17/12/80	5
SAY	WILHELM MIT ELVAT	17/10/80	2
SAY	ELVAT DEN WILHELM	17/07/80	1
AN INH000	IN00000	SAY	



RWG Engineering, LLC
975 E. 22nd Street, Suite 400, Wheaton, IL 60189
Phone: (630) 774-9501 www.rwg-engineering.com
Civil Engineering - Real Estate Consulting - Project Management

GILBERTS CORPORATE PARK
GILBERTS, IL
SIDEWALK/TRAIL/LANDSCAPING/SIGNAGE EXHIBIT



CONCEPTUAL SITE PLAN - SCHEME 2

CP-2

SCALE 1" = 30' (ANSI SHEET)

ILLINOIS STATE ROUTE 72

TYRELL ROAD

C-STORE 3,936 SQ FT

CAR WASH 120' X 31'-4"

NEW DEVELOPMENT & GAS STATION / CARWASH

INTERSTATE PARTNERS LLC

NEW DEVELOPMENT & GAS STATION / CARWASH

SWC TYRELL & HIGGINS ROAD (72)

GILBERTS, IL

COMPANATE GROUP LLC

DESIGN & DEVELOPMENT

NO. 10

REVISIONS

DATE

BY

NO. 11

REVISIONS

DATE

BY

NO. 12

REVISIONS

DATE

BY

NO. 13

REVISIONS

DATE

BY

NO. 14

REVISIONS

DATE

BY

NO. 15

REVISIONS

DATE

BY

NO. 16

REVISIONS

DATE

BY

NO. 17

REVISIONS

DATE

BY

NO. 18

REVISIONS

DATE

BY

NO. 19

REVISIONS

DATE

BY

NO. 20

REVISIONS

DATE

BY

NO. 21

REVISIONS

DATE

BY

NO. 22

REVISIONS

DATE

BY

NO. 23

REVISIONS

DATE

BY

NO. 24

REVISIONS

DATE

BY

NO. 25

REVISIONS

DATE

BY

NO. 26

REVISIONS

DATE

BY

NO. 27

REVISIONS

DATE

BY

NO. 28

REVISIONS

DATE

BY

NO. 29

REVISIONS

DATE

BY

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NO. 83

REVISIONS

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NO. 84

REVISIONS

DATE

BY

NO.

CP-2

CONCEPTUAL
SITE PLAN -
SCHEME 2

INTERSTATE PARTNERS LLC
NEW DEVELOPMENT & GAS STATION / CARWASH
SWC TYRELL & HIGGINS ROAD (72)
GLBERTS, IL



DESIGN + DEVELOPMENT
GROUP, LLC

Exhibit F

ONE ENGINEERING - 604 E. STATE STREET, SUITE 400, WHEATON, ILLINOIS 60189
 LINDS PROJECT, 5525 N. HWY # 81, GILBERTS
 PRELIMINARY ENGINEERING PLANS
 PREPARED BY: ONE ENGINEERING, LLC
 DATE: 08/22/12

LEGEND

SYMBOL	DESCRIPTION
①	STANDARD MANHOLE
②	STANDARD MANHOLE
③	STANDARD MANHOLE
④	STANDARD MANHOLE
⑤	STANDARD MANHOLE
⑥	STANDARD MANHOLE
⑦	STANDARD MANHOLE
⑧	STANDARD MANHOLE
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ABBREVIATIONS

SYMBOL	DESCRIPTION
①	STANDARD MANHOLE
②	STANDARD MANHOLE
③	STANDARD MANHOLE
④	STANDARD MANHOLE
⑤	STANDARD MANHOLE
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PRELIMINARY PLAT AND PRELIMINARY ENGINEERING PLANS FOR GILBERTS CORPORATE PARK GILBERTS, ILLINOIS

(BEING A RESUBDIVISION OF "REIMER CENTRE INDUSTRIAL PARK AND OFFICE RESEARCH CENTRE")

LOCATION MAP



GENERAL NOTES

- The boundary and topographic survey data for this project is based on a 1/4" = 1" scale.
- Easements shown herein reflect NAD 1983 datum.
- The easements shall comply with all applicable laws and regulations, including but not limited to, the Illinois Easement Act, 705 ILCS 115/1-115/11.
- For the convenience of the public, the easements shall be shown in a clear and concise manner, and shall be subject to the approval of the local government.
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PLANS PREPARED FOR
 INTERSTATE PARTNERS
 2860 GALVIN DRIVE
 ELGIN, IL 60124
 (847) 428-5303

INDEX OF SHEETS

- TITLE SHEET
- PRELIMINARY PLAT
- PRELIMINARY ENGINEERING PLAN
- PRELIMINARY ENGINEERING PLAN
- PRELIMINARY ENGINEERING PLAN
- NOTES AND DETAILS

ATTACHMENTS

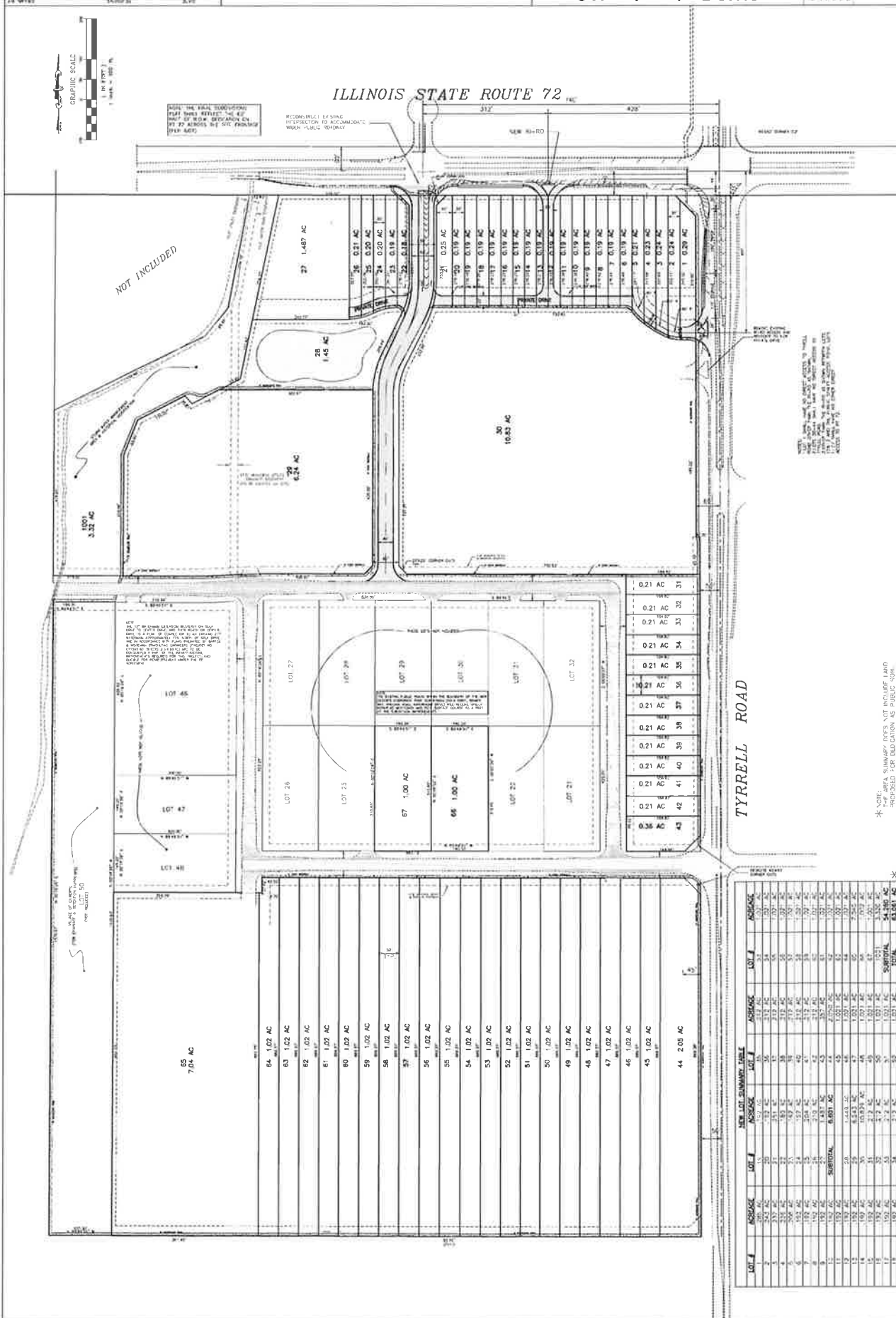
- PLAT OF SURVEY (TERRA TECHNOLOGY LAND SURVEYING)
- PLAT OF VACATION OF ROAD ROW (TERRA TECHNOLOGY LAND SURVEYING)
- PLAT OF VACATION OF VARIOUS EASEMENTS (TERRA TECHNOLOGY LAND SURVEYING)

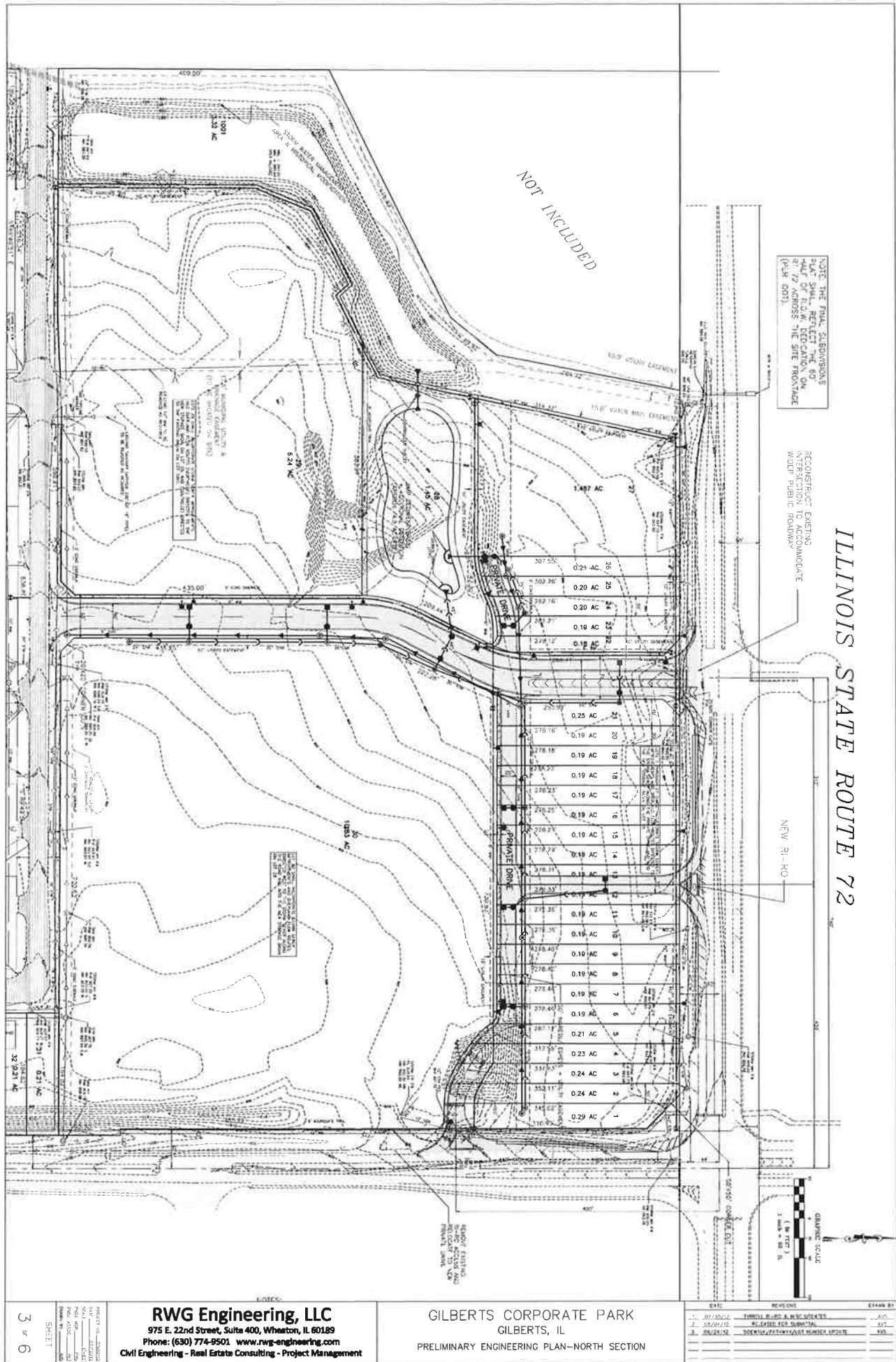


RWG Engineering, LLC
 975 E. 22nd Street, Suite 400, Wheaton, IL 60189
 Phone: (630) 774-9501 www.rwg-engineering.com
 Civil Engineering - Real Estate Consulting - Project Management

GILBERTS CORPORATE PARK
 GILBERTS, IL
 TITLE SHEET

GILBERTS CORPORATE PARK
GILBERTS, IL
PRELIMINARY PLAT

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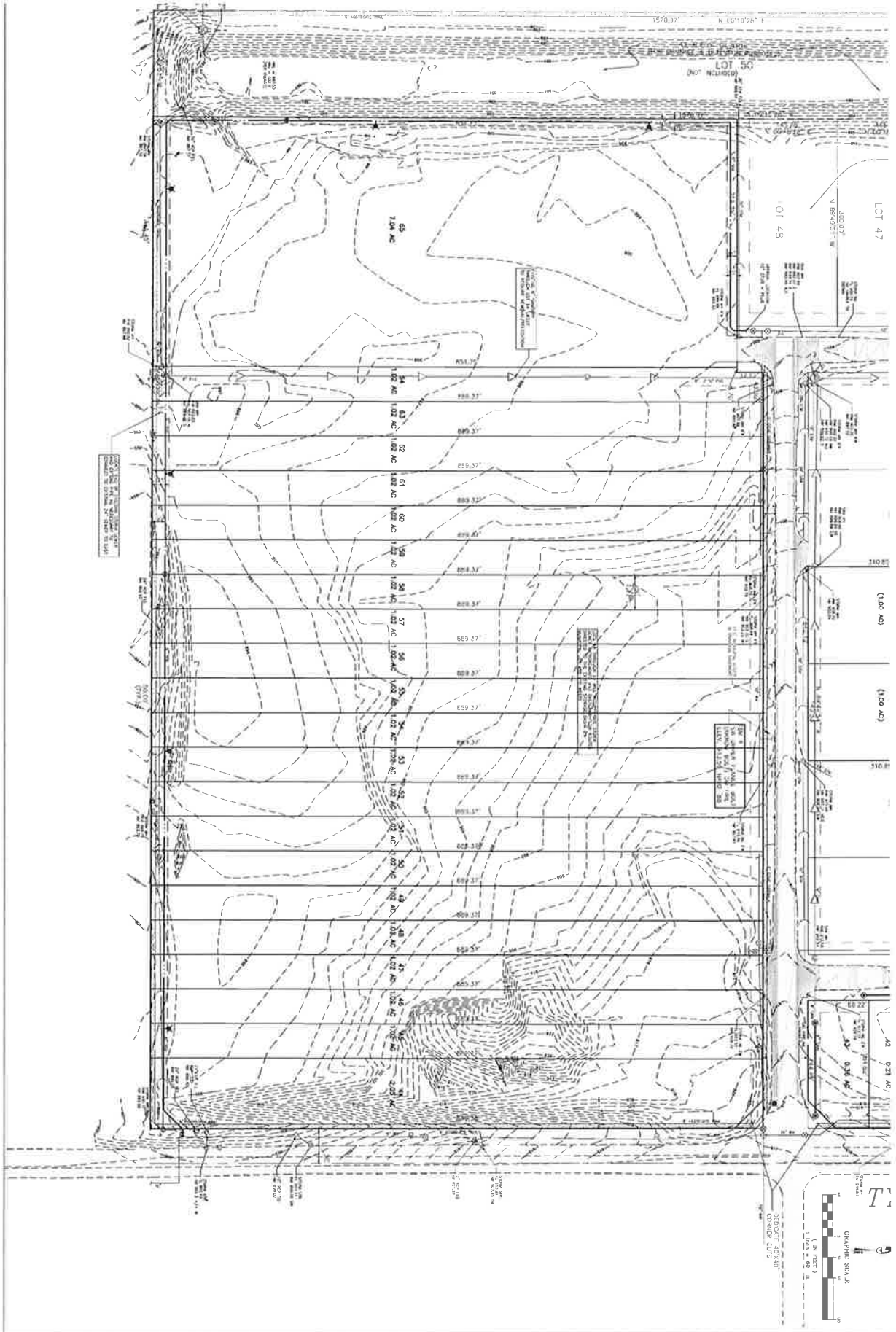


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 Civil Engineering - Real Estate Consulting - Project Management

GILBERTS CORPORATE PARK
 GILBERTS, IL
 PRELIMINARY ENGINEERING PLAN-NORTH SECTION

3 of 6
SHEET

DATE: 08/01/22
 DRAWN BY: AVS
 CHECKED BY: AVS
 PROJECT NO: 22-001-001



5 of 6

Sheet 1
 Date: 8/1/18
 Drawn by: [Name]
 Checked by: [Name]
 Title: [Title]

RWG Engineering, LLC
 975 E. 22nd Street, Suite 400, Wheaton, IL 60189
 Phone: (630) 774-9501 www.rwg-engineering.com
 Civil Engineering - Real Estate Consulting - Project Management

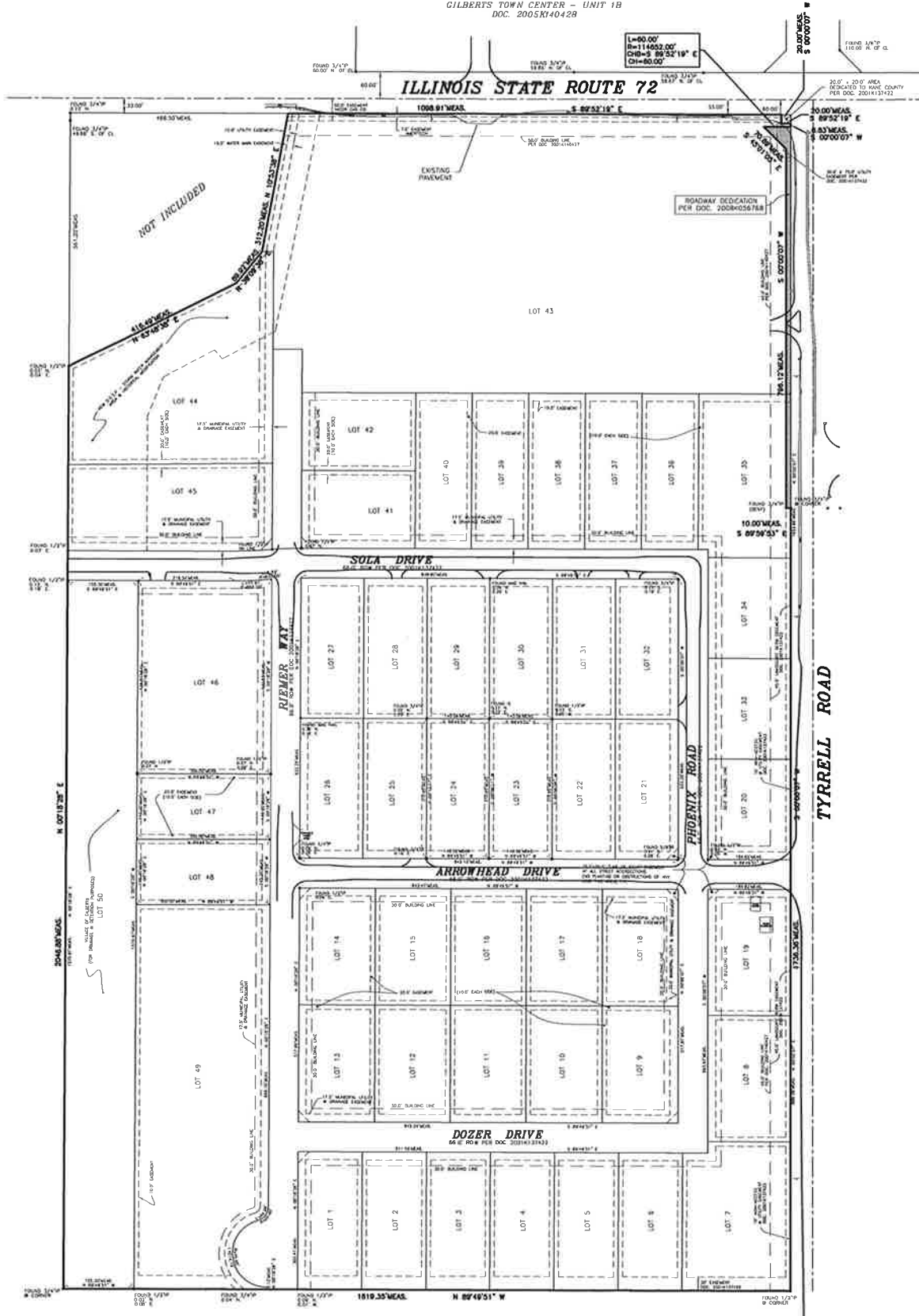
GILBERTS CORPORATE PARK
 GILBERTS, IL
 PRELIMINARY ENGINEERING PLAN-SOUTH SECTION

DATE	REVISION
8/1/18	1. INITIAL DESIGN
8/1/18	2. REVISIONS TO DESIGN
8/1/18	3. REVISIONS TO DESIGN
8/1/18	4. REVISIONS TO DESIGN
8/1/18	5. REVISIONS TO DESIGN
8/1/18	6. REVISIONS TO DESIGN
8/1/18	7. REVISIONS TO DESIGN
8/1/18	8. REVISIONS TO DESIGN
8/1/18	9. REVISIONS TO DESIGN
8/1/18	10. REVISIONS TO DESIGN

PLAT OF SURVEY

REVER CONCRETE INDUSTRIAL PARK & OFFICE RESEARCH CENTER SUBDIVISION, BEING A SUBDIVISION OF PART OF THE EAST HALF OF THE SOUTHWEST QUARTER AND THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 44 NORTH, RANGE 7, LOT 10 OF THE FIRST PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 27, 2007 AS DOCUMENT 2007131423, IN HAWK COUNTY, ILLINOIS.

GILBERTS TOWN CENTER - UNIT 1B
DOC. 2005K140428



STATE OF ILLINOIS
COUNTY OF LAKE
I, **John J. Reardon**, an Illinois Professional Land Surveyor, do hereby certify that I have examined the property described above and that the plat shown herein is a correct representation of said survey.

Illinois Professional Land Surveyor No. 2310
License Expiration Date: 11/30/2013
DESIGN: JPN: M.S., 101-021538; REDEVELOP: DATE: 1/20/2013



SCALE: 1" = 100'

NOTES:

- Please consult local jurisdiction with this and report any discrepancies immediately.
- Complete all plans before building to ensure that all requirements are met.
- Building lines, if any, shown herein are building lines shown on the record.
- Subsequent to the date of this survey, the owner of the property shall be responsible for any changes to the survey.
- The professional seal conforms to the current Illinois minimum standards for a surveyor's seal.

**TERRA TECHNOLOGY
LAND SURVEYING, INC.**

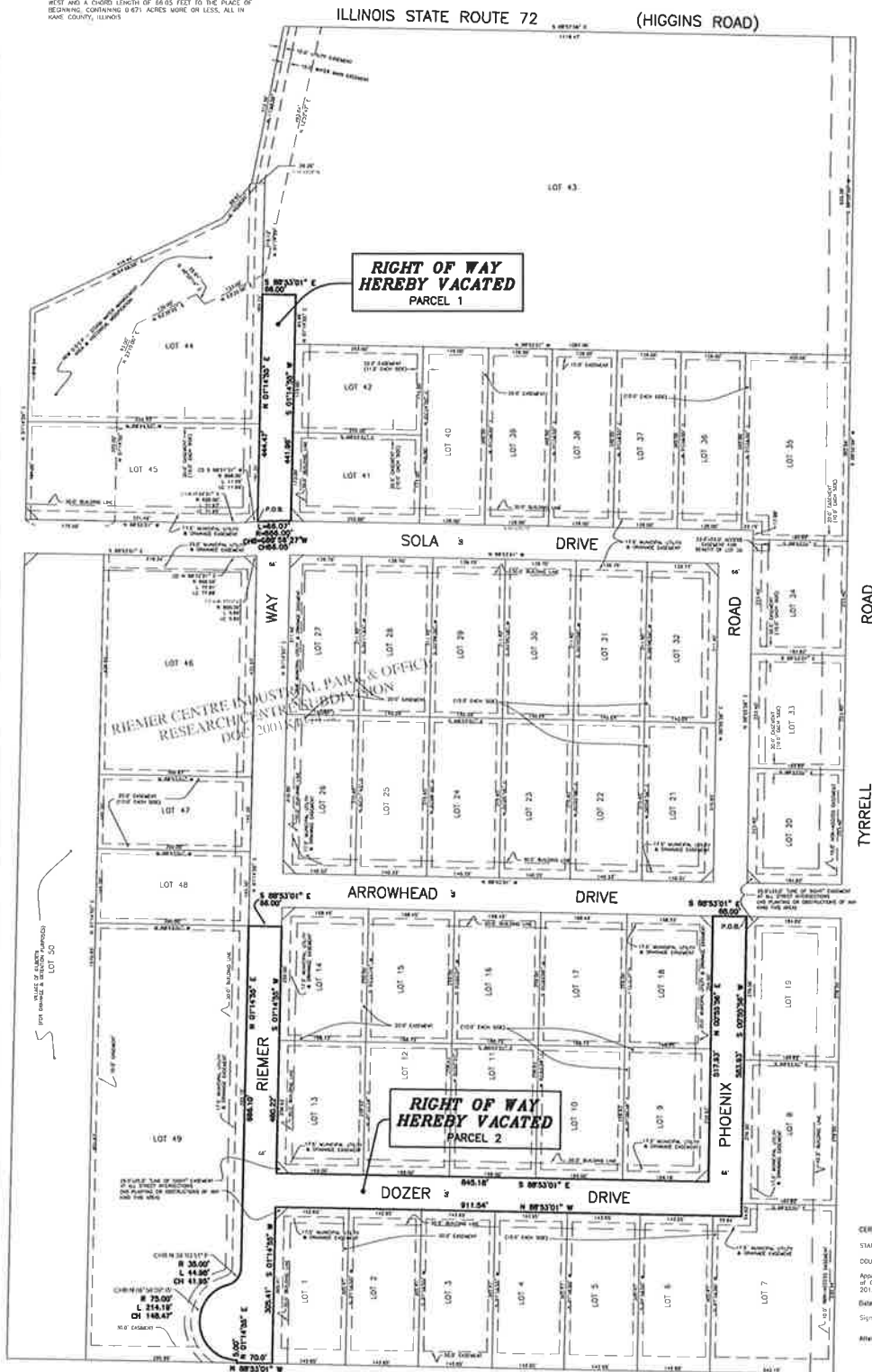
24198 ROSE AVE., LAKE ZURICH, ILLINOIS 60047
PHONE: (847) 540-8806 E-MAIL: TTS1@SCG.COM

JOB NO.: 12-00049 SURVEY DATE: 7/15/2012
DRAWING FILE: DATA/12/0049/SITE-7-15-12.DWG

PLAT OF VACATION OF ROAD RIGHT OF WAY WITHIN THE VILLAGE of GILBERTS, ILLINOIS

PARCEL 1: THAT PART OF RIEMER WAY, AS ESTABLISHED PER RIEMER CENTRE INDUSTRIAL PARK & OFFICE RESEARCH CENTRE SUBDIVISION, BEING A SUBDIVISION OF PART OF THE EAST HALF OF THE SOUTHWEST QUARTER AND THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 42 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 29, 2001 AS DOCUMENT 2001K137422, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 49 IN SAID SUBDIVISION, THENCE NORTH 01 DEGREES 14 MINUTES 35 SECONDS EAST ALONG THE EAST LINE EXTENDED OF SAID LOT 49, 45.444 FEET; THENCE SOUTH 88 DEGREES 53 MINUTES 01 SECONDS EAST, 68.00 FEET; THENCE SOUTH 01 DEGREES 14 MINUTES 35 SECONDS WEST ALONG A LINE 68.00 FEET EAST OF AND PARALLEL TO THE EAST LINE OF SAID LOT 45, 411.98 FEET TO THE SOUTHWEST CORNER OF LOT 41 IN SAID SUBDIVISION; THENCE WESTERLY WITH A NON TANGENTIAL CURVE CONCAVE SOUTHERLY WITH A RADIUS OF 866.00 FEET, AN ARC LENGTH OF 16.07 FEET, SAID ARC FORMING A CHORD BEARING OF SOUTH 88 DEGREES 56 MINUTES 27 SECONDS WEST AND A CHORD LENGTH OF 16.07 FEET TO THE PLACE OF BEGINNING, CONTAINING 0.871 ACRES MORE OR LESS, ALL IN KANE COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF RIEMER WAY, DOZER DRIVE, AND PHOENIX ROAD, AS ESTABLISHED PER RIEMER CENTRE INDUSTRIAL PARK & OFFICE RESEARCH CENTRE SUBDIVISION, BEING A SUBDIVISION OF PART OF THE EAST HALF OF THE SOUTHWEST QUARTER AND THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 42 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 29, 2001 AS DOCUMENT 2001K137422, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 19 IN SAID SUBDIVISION, THENCE SOUTH 00 DEGREES 35 MINUTES 36 SECONDS WEST ALONG THE WEST LINE EXTENDED OF SAID LOT 19, 503.93 FEET TO THE NORTH LINE OF LOT 7 IN SAID SUBDIVISION; THENCE NORTH 88 DEGREES 53 MINUTES 01 SECONDS WEST ALONG THE SAID NORTH LINE EXTENDED, 911.51 FEET TO THE NORTHWEST CORNER OF LOT 1 IN SAID SUBDIVISION, THENCE SOUTH 01 DEGREES 14 MINUTES 35 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 1, 305.41 FEET TO THE SOUTHWEST CORNER OF LOT 1 IN SAID SUBDIVISION, THENCE NORTH 88 DEGREES 53 MINUTES 01 SECONDS WEST ALONG THE SOUTH LINE OF SAID SUBDIVISION, 70.0 FEET TO THE SOUTHWEST CORNER OF LOT 49 IN SAID SUBDIVISION, THENCE NORTH 01 DEGREES 14 MINUTES 35 SECONDS EAST, 5.00 FEET; THENCE NORTHERLY ALONG THE EAST LINE OF SAID LOT 49, SAID LINE BEING A NON TANGENTIAL CURVE CONCAVE EASTERLY WITH A RADIUS OF 75.00 FEET, AN ARC LENGTH OF 214.18 FEET, SAID ARC FORMING A CHORD BEARING OF NORTH 06 DEGREES 56 MINUTES 09 SECONDS WEST AND A CHORD LENGTH OF 148.47 FEET, THENCE CONTINUING NORTHERLY ALONG SAID EAST LINE OF LOT 49, SAID LINE BEING AN ARC OF A CURVE CONCAVE WESTERLY WITH A RADIUS OF 35.00 FEET, AN ARC LENGTH OF 44.98 FEET, SAID ARC FORMING A CHORD BEARING OF NORTH 36 DEGREES 03 MINUTES 51 SECONDS EAST AND A CHORD LENGTH OF 41.65 FEET; THENCE CONTINUING ALONG THE EAST LINE OF SAID LOT 49 NORTH 01 DEGREES 14 MINUTES 35 SECONDS EAST, 68.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 49, THENCE SOUTH 88 DEGREES 53 MINUTES 01 SECONDS EAST, 68.00 FEET TO A POINT ALONG THE WEST LINE OF LOT 14 IN SAID SUBDIVISION, THENCE SOUTH 01 DEGREES 14 MINUTES 35 SECONDS WEST ALONG SAID WEST LINE EXTENDED, 180.22 FEET TO THE SOUTHWEST CORNER OF LOT 13 IN SAID SUBDIVISION, THENCE SOUTH 88 DEGREES 53 MINUTES 01 SECONDS EAST ALONG THE SOUTH LINE OF SAID LOT 13 EXTENDED, 845.18 FEET TO THE SOUTHWEST CORNER OF LOT 9 IN SAID SUBDIVISION, THENCE NORTH 00 DEGREES 55 MINUTES 56 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 9 EXTENDED, 517.53 FEET TO THE NORTHEAST CORNER OF LOT 18 IN SAID SUBDIVISION, THENCE SOUTH 88 DEGREES 53 MINUTES 01 SECONDS EAST, 68.00 FEET TO THE PLACE OF BEGINNING, CONTAINING 3.877 ACRES MORE OR LESS, ALL IN KANE COUNTY, ILLINOIS.



SCALE: 1" = 100'

COUNTY RECORDER
STATE OF ILLINOIS
COUNTY OF KANE
THIS INSTRUMENT WAS FILED FOR
RECORD IN THE RECORDS OF DEEDS OFFICE OF KANE
COUNTY, ILLINOIS, ATTESTED ON THE _____ DAY OF
_____, A.D. 2014 AT _____ O'CLOCK, P.M.
KANE COUNTY RECORDER

CERTIFICATE OF MUNICIPALITY
STATE OF ILLINOIS)
COUNTY OF KANE)
Approved and accepted by the President and Board of Trustees of the Village
of Gilberts, Kane County, Illinois, this _____ day of _____
2014.
Signed _____ Mayor
Attest _____ Village Clerk

STATE OF ILLINOIS
COUNTY OF KANE

I, JAMES J. HARRIS, a Licensed Professional Land Surveyor, do hereby certify that I have, from recent documents, prepared this Plat of Vacation of the property described above, and that the said documents are a correct representation of the land property for the uses and purposes herein set forth.
DATED THIS 18th DAY OF JUNE, A.D. 2014.

James J. Harris, Professional Land Surveyor No. 2310
License Renewal Date: 11/30/2015
DEEDS FORM NO. 184-001538 REVISED, DATE: 4/30/2013



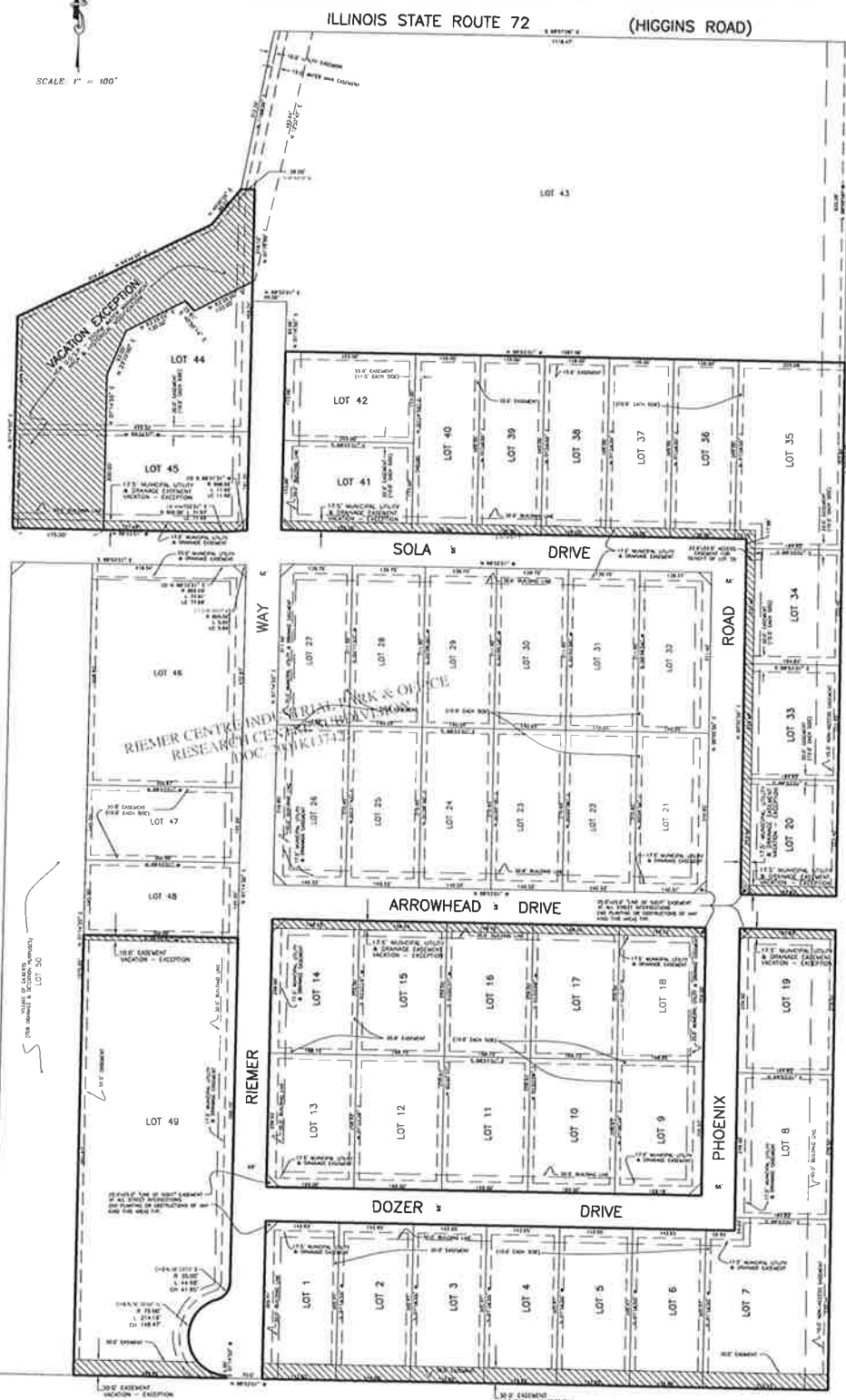
**TERRA TECHNOLOGY
LAND SURVEYING, INC.**

2410N ROOSE AVENUE, SUITE 200, DEERFIELD, ILLINOIS 60015
TEL: 847.939.9906 FAX: 847.939.9907
VACATION - ROW - RIEMER CENTER
REV. 01-12 12/04/13
DRAWN BY: J. HARRIS
DATE: 06/18/2014



PLAT OF VACATION OF MUNICIPAL, UTILITY, LINE OF SIGHT, AND DRAINAGE EASEMENTS WITHIN RIEMER CENTRE INDUSTRIAL PARK & OFFICE RESEARCH CENTRE SUBDIVISION VILLAGE of GILBERTS, ILLINOIS

LEGAL: ALL MUNICIPAL, UTILITY, LINE OF SIGHT, AND DRAINAGE EASEMENTS, OVER UNDER AND ACROSS THE FOLLOWING LOTS 1 THROUGH 20 (INCLUSIVE), 33 THROUGH 42 (INCLUSIVE), 44, 45, AND 48, EXCEPTING THEREFROM THE EASEMENT OVER THE SOUTH 30.0 FEET OF SAID LOTS 1 THROUGH 7 (INCLUSIVE), ALSO EXCEPTING THEREFROM THE 17.5 FOOT MUNICIPAL UTILITY & DRAINAGE EASEMENT OVER THE NORTH 17.5 FEET OF SAID LOTS 14 THROUGH 18 (INCLUSIVE), ALSO EXCEPTING THEREFROM THE 17.5 FOOT MUNICIPAL UTILITY & DRAINAGE EASEMENT OVER THE SOUTH 17.5 FEET OF SAID LOTS 20, 33, AND 34, ALSO EXCEPTING THEREFROM THE 17.5 FOOT MUNICIPAL UTILITY & DRAINAGE EASEMENT OVER THE SOUTH 17.5 FEET OF SAID LOTS 35 THROUGH 41 (INCLUSIVE), ALSO EXCEPTING THEREFROM THE 17.5 FOOT MUNICIPAL UTILITY & DRAINAGE EASEMENT OVER THE SOUTH 17.5 FEET OF SAID LOT 45, ALSO EXCEPTING THEREFROM THAT PART OF LOTS 44 AND 45 DELINEATED AS NEW D.O.S.P. - STORM WATER MANAGEMENT AREA & HISTORICAL NOTIFICATION, ALSO EXCEPTING THEREFROM THE EASEMENT OVER THE SOUTH 30.0 FEET OF SAID LOT 48, ALSO EXCEPTING THEREFROM THE 17.5 FOOT MUNICIPAL UTILITY & DRAINAGE EASEMENT OVER THE EASTERLY 17.5 FEET OF THE SOUTH 30.0 FEET OF SAID LOT 49, ALSO EXCEPTING THEREFROM THE EASEMENT OVER THE NORTH 10.0 FEET OF SAID LOT 49, ALL IN RIEMER CENTRE INDUSTRIAL PARK & OFFICE RESEARCH CENTRE SUBDIVISION, BEING A SUBDIVISION OF PART OF THE EAST HALF OF THE SOUTHWEST QUARTER, AND THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 42 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 27, 2001 AS DOCUMENT 2001K137422, IN KANE COUNTY, ILLINOIS.



COUNTY RECORDER
STATE OF ILLINOIS
COUNTY OF KANE
THIS INSTRUMENT NO. _____ WAS FILED FOR
RECORD IN THE RECORDS OF DEEDS OFFICE OF KANE
COUNTY, ILLINOIS, APPROX. ON THE _____ DAY OF
A.D. 2012 AT _____ O'CLOCK _____ M.
KANE COUNTY RECORDER

OWNER'S CERTIFICATE
STATE OF ILLINOIS
COUNTY OF KANE
This is to certify that the undersigned is the same owner of the land
described in the subject plat herein, that no other person has any right, title
or interest in said land and that it has ceased the same to be conveyed and
warranted as indicated therein, and does hereby acknowledge and admit the
same under the law therein indicated.
Dated at _____, 2012, this _____ day of _____

OWNER'S CERTIFICATE
STATE OF ILLINOIS
COUNTY OF KANE
This is to certify that the undersigned is the same owner of the land
described in the subject plat herein, that no other person has any right, title
or interest in said land and that it has ceased the same to be conveyed and
warranted as indicated therein, and does hereby acknowledge and admit the
same under the law therein indicated.
Dated at _____, 2012, this _____ day of _____

OWNER'S CERTIFICATE
STATE OF ILLINOIS
COUNTY OF KANE
This is to certify that the undersigned is the same owner of the land
described in the subject plat herein, that no other person has any right, title
or interest in said land and that it has ceased the same to be conveyed and
warranted as indicated therein, and does hereby acknowledge and admit the
same under the law therein indicated.
Dated at _____, 2012, this _____ day of _____

EASEMENT DISCLOSURE
KNOW ALL MEN BY THESE PRESENTS, THAT AT&T HAVING NO FACILITIES
LOCATED THEREIN AND ANTICIPATING NO FUTURE NEED THEREOF, HEREBY DISCLOSES
ALL RIGHT, TITLE AND INTEREST IT MAY HAVE IN AND TO ANY AND ALL PUBLIC
UTILITY EASEMENTS GRANTED AND RESERVED ON DESCRIBED LOTS WITHIN THE PLAT OF
SUBDIVISION RIEMER CENTRE INDUSTRIAL PARK & OFFICE RESEARCH CENTRE
SUBDIVISION, RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF KANE
COUNTY, ILLINOIS, ON DECEMBER 27, 2001, AS DOCUMENT NUMBER 2001K137422
SIGNED AND DATED THIS _____ DAY OF _____, 2012.
AT _____
KANE COUNTY, ILLINOIS

EASEMENT DISCLOSURE
KNOW ALL MEN BY THESE PRESENTS, THAT DISCOMET HAVING NO FACILITIES
LOCATED THEREIN AND ANTICIPATING NO FUTURE NEED THEREOF, HEREBY DISCLOSES
ALL RIGHT, TITLE AND INTEREST IT MAY HAVE IN AND TO ANY AND ALL PUBLIC
UTILITY EASEMENTS GRANTED AND RESERVED ON DESCRIBED LOTS WITHIN THE PLAT OF
SUBDIVISION RIEMER CENTRE INDUSTRIAL PARK & OFFICE RESEARCH CENTRE
SUBDIVISION, RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF KANE
COUNTY, ILLINOIS, ON DECEMBER 27, 2001, AS DOCUMENT NUMBER 2001K137422
SIGNED AND DATED THIS _____ DAY OF _____, 2012.
AT _____
KANE COUNTY, ILLINOIS

EASEMENT DISCLOSURE
KNOW ALL MEN BY THESE PRESENTS, THAT DISCOMET HAVING NO FACILITIES
LOCATED THEREIN AND ANTICIPATING NO FUTURE NEED THEREOF, HEREBY DISCLOSES
ALL RIGHT, TITLE AND INTEREST IT MAY HAVE IN AND TO ANY AND ALL PUBLIC
UTILITY EASEMENTS GRANTED AND RESERVED ON DESCRIBED LOTS WITHIN THE PLAT OF
SUBDIVISION RIEMER CENTRE INDUSTRIAL PARK & OFFICE RESEARCH CENTRE
SUBDIVISION, RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF KANE
COUNTY, ILLINOIS, ON DECEMBER 27, 2001, AS DOCUMENT NUMBER 2001K137422
SIGNED AND DATED THIS _____ DAY OF _____, 2012.
AT _____
KANE COUNTY, ILLINOIS

EASEMENT DISCLOSURE
KNOW ALL MEN BY THESE PRESENTS, THAT DISCOMET HAVING NO FACILITIES
LOCATED THEREIN AND ANTICIPATING NO FUTURE NEED THEREOF, HEREBY DISCLOSES
ALL RIGHT, TITLE AND INTEREST IT MAY HAVE IN AND TO ANY AND ALL PUBLIC
UTILITY EASEMENTS GRANTED AND RESERVED ON DESCRIBED LOTS WITHIN THE PLAT OF
SUBDIVISION RIEMER CENTRE INDUSTRIAL PARK & OFFICE RESEARCH CENTRE
SUBDIVISION, RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF KANE
COUNTY, ILLINOIS, ON DECEMBER 27, 2001, AS DOCUMENT NUMBER 2001K137422
SIGNED AND DATED THIS _____ DAY OF _____, 2012.
AT _____
KANE COUNTY, ILLINOIS

EASEMENT DISCLOSURE
KNOW ALL MEN BY THESE PRESENTS, THAT DISCOMET HAVING NO FACILITIES
LOCATED THEREIN AND ANTICIPATING NO FUTURE NEED THEREOF, HEREBY DISCLOSES
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SUBDIVISION, RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF KANE
COUNTY, ILLINOIS, ON DECEMBER 27, 2001, AS DOCUMENT NUMBER 2001K137422
SIGNED AND DATED THIS _____ DAY OF _____, 2012.
AT _____
KANE COUNTY, ILLINOIS

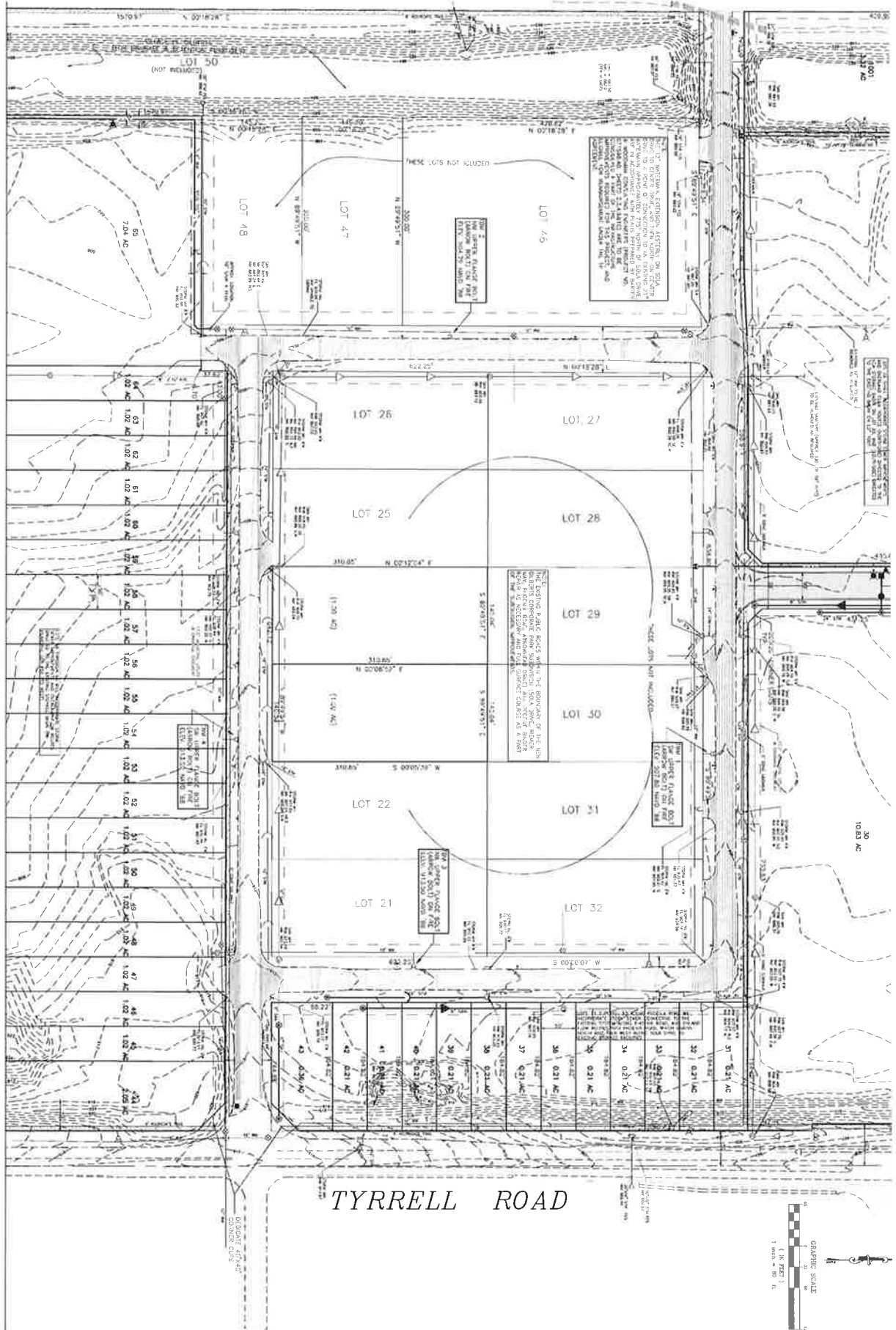
STATE OF ILLINOIS
COUNTY OF KANE
1. I, Ryan Z. Rabinowitz, a Licensed Professional Land Surveyor, do hereby certify that I have
from recent documents, prepared the Plat of Vacation of the property described above
and that the plat shown herein is a correct representation of said property, for the use
and purposes herein set forth.
DATED THIS 10th DAY OF JANUARY, A.D. 2012.



**TERRA TECHNOLOGY
LAND SURVEYING, INC.**

2400 ROSE LANE, ELIZHETH, ILLINOIS 60120
PH: 630.581.1111 FAX: 630.581.1112
VACATION - EASEMENTS - RIEMER CENTER

2012 NO. 124440 SURVEY DATE: N/A
DRAWN BY: JEFFREY M. FLETCHER & JAMES M. HENRI



4
6

5-1-1

RWG Engineering, LLC
975 E. 22nd Street, Suite 400, Wheaton, IL 60189
Phone: (630) 774-9501 www.rwg-engineering.com
Civil Engineering - Real Estate Consulting - Project Management

GILBERTS CORPORATE PARK
GILBERTS, IL
PRELIMINARY ENGINEERING PLAN-CENTER SECTION

REVISIONS

NO.	DATE	DESCRIPTION
1	08/24/12	INITIALS & REV. MODIFIED
2	09/04/12	PLANS FOR CONSTRUCTION
3	09/25/12	REVISIONS FOR TARGET MARKET REVIEW

Exhibit H

Gilberts Corporate Park PUD Industrial Lots

1. Purpose

The following regulations shall apply to Lots 29-30 and 44-65 of the Gilberts Corporate Park PUD and Lots 23-24 of the Riemer Centre Industrial Park Subdivision ("Koplos" lots). The regulations for these lots are intended to provide opportunities for a range of manufacturing, wholesaling, warehousing, and administrative uses. The regulations applied to the subject lots are intended to permit the operation of most industrial and ancillary uses in a clean and quiet manner while simultaneously providing adequate protection for uses allowed in adjacent zoning districts.

2. Permitted Uses

The following uses and no other are permitted as of right on the subject lots:

1. Industrial and Manufacturing Uses
 - a. Construction and contractor's offices and yards
 - b. Facilities for manufacturing, processing, assembly, and packaging of:
 1. Apparel and other finished products made from fabric and similar products
 2. Electrical and electronic machinery, equipment, and supplies
 3. Fabricated metal products, except machinery and transportation equipment
 4. Food and kindred products
 5. Furniture and fixtures
 6. Jewelry, silverware, and plated ware
 7. Lead pencils, crayons, and artists materials
 8. Leather and leather products
 9. Lumber and wood products, except furniture
 10. Machinery, except electrical
 11. Musical instruments
 12. Paper and allied products
 13. Primary metal products
 14. Rubber and plastics products
 15. Stone, clay and glass products
 16. Textile mill products
 17. Tobacco products
 18. Toys and amusement, sporting, and athletic goods
 19. Transportation equipment
2. Office and Professional Uses
 - a. Office and professional uses, general, except as noted elsewhere

3. Retail Business Uses

- a. Agriculture implement sales and service
- b. Air condition sales and service
- c. Appliance sales and service
- d. Automobile, motorcycle, and truck sales and services
- e. Bicycle sales and service
- f. Boat sales and services
- g. Building materials and garden supply stores
- h. Business machine sales and service
- i. Electrical supply and equipment stores
- j. Farm supply stores
- k. Feed and grain stores
- l. Lawn mower sales and service
- m. Motor vehicle sales and service
- n. Plumbing appliance and equipment stores
- o. Tire, batter, and accessory sales and service
- p. Tool sales and service

4. Service Uses

- a. Ambulance services
- b. Automobile body shops
- c. Automobile repair and service
- d. Blue printing, copying, and small duplicating establishments
- e. Diaper, linen, and towel services
- f. Equipment rental and leasing
- g. Exterminating and fumigating services
- h. Furniture cleaning, upholstery and repair shops
- i. Glass cutting and glazing services
- j. Motor vehicle rental agencies
- k. Motor vehicle towing services
- l. Parcel pick-up and delivery services
- m. Sewer and septic cleaning and rodding services
- n. Taxicab offices and storage

5. Health, Medical, and Care Facilities

- a. Health treatment centers
- b. Hospitals
- c. Medical laboratories
- d. Medical offices

6. Educational Uses

- a. Personnel training centers

- b. Trade and vocational schools
- 7. Similar and Compatible Uses: Other uses that are similar and compatible to those allowed as permitted uses in the I-1 District and the PUD ordinance, as determined by the Zoning Administrator.

3. Special Uses

The following uses may be permitted on the subject lots, subject to the issuance of a special use permit as provided by the Zoning Code and subject to the additional standards set forth in the PUD ordinance.

- 1. Industrial and Manufacturing Uses
 - a. Plants for asphalt, cement, concrete, and similar products
 - b. Facilities for manufacturing, processing, assembly, and packaging of:
 - 1. Chemicals and allied products
 - 2. Petroleum refining and related industries
 - c. Motor freight terminals
 - d. Motor vehicle wrecking and salvage yards
 - e. Recycling centers
- 2. Service Uses
 - a. Automobile service stations
- 3. Cultural, Recreational, and Entertainment Uses
 - a. Indoor amusement parks
 - b. Auditoriums, private
 - c. Gymnasiums, school and park
 - d. Health clubs
 - e. Ice skating rinks, indoor
 - f. Indoor swimming clubs and pools
 - g. Indoor tennis, racquetball, handball, and other private recreational clubs
- 4. Health, Medical, and Care Facilities
 - a. Day care centers
 - b. Nursery schools
- 5. Colleges and Universities
- 6. Similar and Compatible Uses. Other uses that are similar and compatible to those allowed as special uses in the I-1 District and the PUD ordinance, as determined by the Zoning Administrator

4. Regulations applicable to subject lots

- A. Site Plan Review: Any exterior construction, change in use, or increase in the intensity of an existing use on the subject lots, excluding normal repair and maintenance activities, shall require site plan review in accordance with the Zoning Code and the PUD ordinance for the subject development.
- B. Operation within an Enclosed Structure: All business, service, storage, and display of goods shall be conducted within completely enclosed structures, except for the following:
1. Automobile, motorcycle, and truck sales and service
 2. Motor vehicle sales
 3. Off-street parking and loading
 4. Refuse disposal area
 5. Sale or display of merchandise sold or offered for sale through vending machines, provided the machines do not occupy an aggregate ground area of more than 16 square feet
 6. Temporary uses, subject to the regulations set forth in the Zoning Code and in the PUD ordinance for the subject development
- C. Exterior of Buildings:
1. All sides, elevations or facades of all buildings and structures shall be architecturally and aesthetically compatible with the surrounding environment. No side, elevation or façade shall be exempt from public view and thus subject to the regulations set forth in the PUD ordinance.
 2. Exterior walls and externally visible opaque surfaces shall be constructed of not more than three of the following types of materials (except for the use of other accent or exterior trim materials, glass and glazing, and details): brick, architectural precast concrete panels; decorative concrete block (for no more than 10% of the exterior building wall area); cut stone; exterior insulation and finish systems such as Drivit or Sunalar or equivalent, for no more than 10% of the exterior building wall area, or wood. Newly developed building materials comparable in appearance to those materials listed above shall be approved on a case-by-case basis by the Chief Building Inspector.
 3. All mechanical, electrical, pollution control or waste handling equipment, whether roof, pedestal or ground mounted, and any outside solid waste, raw materials, inventory, finished product, equipment, fuel storage or other storage of any kind, shall either be architecturally screened from view using materials identical to, or structurally and visibly compatible

with, the principal building(s) on the site. All storage areas shall be screened and set on a concrete or asphalt hard surface.

- D. Other Applicable Regulations: Unless specified by the PUD ordinance, the regulations set forth properties in “I-1” Commercial zoning district, as it may be updated from time to time, shall apply.

5. Bulk, Space and Yard Requirements

- A. Requirements: The building height, lot area, setback, lot coverage, lot width, and floor area ratio (FAR) requirements applicable to the subject lots are set forth in the table on the following page. Where the Village has approved specific bulk, space, and yard requirements that vary from the applicable district requirements as they may be updated from time to time, the regulations set forth in the PUD ordinance shall govern. The relief from or requirements beyond the provisions set forth in the I-1 Industrial Zoning District
- B. Buildable Lots: The bulk, space and yard requirements set forth in the PUD ordinance shall apply to any bundling of individual lots amalgamated into a single buildable lot for development purposes. The assembled lots shall be treated as a single buildable lot subject to the requirements set forth in the PUD ordinance. Individual lots shall not be considered buildable unless the lot(s) can satisfy the bulk, space and yard requirements set forth as follows.

	I-1 Zoning District	PUD Ordinance
Minimum District Area	4 acres	N/A
Minimum Lot Area	N/A	1.0 acre
Minimum Lot Width (feet)	100	100
Maximum Lot Coverage for all buildings	45% of lot area	85% of lot area
Maximum Floor Area Ratio for all buildings	60% of lot area	60% of lot area
Maximum Building Height (feet)	45	45
Minimum Front and Corner Side Yard Setback (feet)	30 (buildings) 25 feet (off street parking and loading)	40 from Higgins or Tyrrell Roads (buildings) 30 from other public rights of way or Private Drive (buildings) 10 feet (off street

		parking and loading)
Minimum Interior Side Yard Setback (feet)	15 feet (buildings) 0 feet (off street parking and loading)	20 feet (buildings) 10 feet (off street parking and loading)
Minimum Rear Yard Setback (feet)	15 feet (buildings) 0 feet (off street parking and loading)	20 feet (buildings) 10 feet (off street parking and loading)

- C. Off street parking setbacks exception: The side yard setbacks for off street parking areas shall be 0 feet when abutting the off street parking area of an adjacent buildable lot, provided that the parking lots are configured to allow cross-access traffic circulation and shared parking between buildable lots. In such instances, a permanent easement allowing shared parking and cross-access traffic circulation shall be established and recorded against all affected lots.
- D. Off street parking and loading setback from Tyrrell Road: The setback from Tyrrell Road for off street parking and loading areas for Lots 30 and 44 may be reduced by up to ten (10) feet. Such a setback reduction would likely require removal of the westernmost slope of the existing berm along Tyrrell Road. This setback reduction may be accomplished by the design and construction of a retaining wall, as approved to the Village Engineer's specifications. The retaining wall may not extend beyond the top elevation of the berm and may not be visible from the east berm elevation.

Exhibit I

Gilberts Corporate Park PUD Retail/Service Commercial Lots

1. Purpose

The following regulations shall apply to Lots 1-27 of the Gilberts Corporate Park PUD. The regulations for these lots are intended to provide a suitable setting for the commingling of a variety of retail shopping, commercial service, and small office uses capable of fulfilling most of the daily living requirements of Village residents and the surrounding businesses. The regulations of the district are designed to accommodate retail and service commercial uses in a manner that will minimize interference with area traffic patterns and ensure a high standard of side layout, design, and landscaping.

2. Permitted Uses

The following uses and no other are permitted as of right on the subject lots:

1. Retail Business Uses

- a. Antique shops
- b. Appliance sales and service
- c. Banquet hall
- d. Bicycle sales and service
- e. Business machine sales and service
- f. Cigar, cigarette, and tobacco stores
- g. Convenience stores
- h. Florists
- i. Hardware store
- j. Restaurant (with or without drive-through)
- k. Retail business uses, general, except as noted elsewhere

2. Service Uses

- a. Automobile service stations
- b. Banks, credit unions, savings and loans, and other financial institutions (with or without drive-through)
- c. Barber and beauty shops
- d. Blue printing, copying, and small duplicating establishments
- e. Currency exchanges
- f. Employment agencies
- g. Travel agencies
- h. Parcel pick-up and delivery services
- i. Service uses, general, except as noted elsewhere

3. Office and Professional Uses

- a. Political organization offices

- b. Real estate sales and brokerage offices
 - c. Office and professional uses, general, except as noted elsewhere
- 4. Health, Medical, and Care Facilities
 - a. Drug stores and pharmacies (with or without drive-through)
 - b. Health treatment centers
 - c. Medical appliance and supply stores
 - d. Medical offices
- 5. Cultural, Recreational, and Entertainment Uses
 - a. Billiard and pool halls
 - b. Bowling alleys
 - c. Dance halls and studios
 - d. Health clubs
 - e. Theaters
- 6. Similar and Compatible Uses. Other uses that are similar and compatible to those allowed as permitted uses in the C-1 District, as determined by the Zoning Administrator.

3. Special Uses

The following uses may be permitted on the subject lots, subject to the issuance of a special use permit as provided by the Zoning Code and subject to the additional standards set forth in the PUD ordinance.

- 1. Retail Business Uses
 - a. Agriculture implement sales and service
 - b. Automobile, motorcycle, and truck sales and service
 - c. Boat sales and service
 - d. Building materials/lumber and garden supply stores
 - e. Tire, battery and accessory sales and service
- 2. Service Uses
 - a. Animal hospitals and veterinary clinics
 - b. Animal pounds and shelters
 - c. Automobile repair and service
 - d. Bars and taverns
 - e. Car wash facilities
 - f. Dry-cleaning services (except industrial laundries/dry-cleaning plants)
 - g. Equipment rental and leasing
 - h. Hotels and motels
 - i. Motor vehicle rental agencies

3. Health, Medical, and Care Facilities
 - a. Day care centers
 - b. Nursery schools
 - e. Medical laboratories
4. Colleges and Universities
5. Assembly uses pursuant to the provisions set forth in the Zoning Code
6. Similar and Compatible Uses. Other uses that are similar and compatible to those allowed as special uses in the C-1 District, as determined by the Zoning Administrator

4. Regulations applicable to subject lots

- A. Site Plan Review: Any exterior construction, change in use, or increase in the intensity of an existing use on the subject lots, excluding normal repair and maintenance activities, shall require site plan review in accordance with the Zoning Code and the PUD ordinance for the subject development.
- B. Operation within an Enclosed Structure: All business, service, storage, and display of goods shall be conducted within completely enclosed structures, except for the following:
 1. Automobile, motorcycle, and truck sales and service
 2. Motor vehicle sales
 3. Off-street parking and loading
 4. Outdoor seating areas accessory to bars, restaurants, and taverns
 5. Refuse disposal area
 6. Sale or display of merchandise sold or offered for sale through vending machines, provided the machines do not occupy an aggregate ground area of more than 16 square feet
 7. Temporary uses, subject to the regulations set forth in the Zoning Code and in the PUD ordinance for the subject development
- C. Exterior of Buildings:
 1. All sides, elevations or facades of all buildings and structures shall be architecturally and aesthetically compatible with the surrounding environment. No side, elevation or façade shall be exempt from public view and thus subject to the regulations set forth in the PUD ordinance.

2. Exterior walls and externally visible opaque surfaces shall be constructed of not more than three of the following types of materials (except for the use of other accent or exterior trim materials, glass and glazing, and details): brick, architectural precast concrete panels; decorative concrete block (for no more than 10% of the exterior building wall area); cut stone; exterior insulation and finish systems such as Drivit or Sunalar or equivalent, for no more than 10% of the exterior building wall area, or wood. Newly developed building materials comparable in appearance to those materials listed above shall be approved on a case-by-case basis by the Chief Building Inspector.
 3. All mechanical, electrical, pollution control or waste handling equipment, whether roof, pedestal or ground mounted, and any outside solid waste, raw materials, inventory, finished product, equipment, fuel storage or other storage of any kind, shall either be architecturally screened from view using materials identical to, or structurally and visibly compatible with, the principal building(s) on the site. All storage areas shall be screened and set on a concrete or asphalt hard surface.
- D. Drive-through facilities: The PUD ordinance allows the specified permitted uses to have drive-through facilities without requiring approval of a special use permit, as is typically required by the Zoning Code. Permitted uses with drive-through facilities shall comply with all applicable design standards set forth in the Zoning Code, as they may be updated from time to time. At a minimum, drive-through facilities shall be required to have a bypass traffic lane, sufficient vehicle stacking/queuing so as to not interfere with internal site traffic circulation or traffic on an adjacent roadway, or operate in a way that creates hazards for automobile or pedestrian traffic.
- E. Other Applicable Regulations: Unless specified by the PUD ordinance, the regulations set forth properties in "C-1" Commercial zoning district, as it may be updated from time to time, shall apply.

5. Bulk, Space and Yard Requirements

- A. Requirements: The building height, lot area, setback, lot coverage, lot width, and floor area ratio (FAR) requirements applicable to the subject lots are set forth in the table on the following page. Where the Village has approved specific bulk, space, and yard requirements that vary from the applicable district requirements as they may be updated from time to time, the regulations set forth in the PUD ordinance shall govern. The relief from or requirements beyond the provisions set forth in the C-1 Commercial Zoning District
- B. Buildable Lots: The bulk, space and yard requirements set forth in the PUD ordinance shall apply to any bundling of individual lots amalgamated into a single buildable lot for development purposes. The assembled lots shall be treated as a single buildable lot subject to the requirements set forth in the PUD ordinance.

Individual lots shall not be considered buildable unless the lot(s) can satisfy the bulk, space and yard requirements set forth as follows.

	C-1 Zoning District	PUD Ordinance
Minimum District Area	4 acres	N/A
Minimum Lot Area	N/A	0.5 acre
Minimum Lot Width (feet)	100	90
Maximum Lot Coverage for all buildings	35% of lot area	85% of lot area
Maximum Floor Area Ratio for all buildings	40% of lot area	60% of lot area
Maximum Building Height (feet)	35	35
Minimum Front and Corner Side Yard Setback (feet)	15 (buildings) 10 feet (off street parking and loading)	40 from Higgins or Tyrrell Roads (buildings) 30 from other public rights of way or Private Drive (buildings) 10 feet (off street parking and loading)
Minimum Interior Side Yard Setback (feet)	10 feet (buildings) 5 feet (off street parking and loading)	20 feet (buildings) 10 feet (off street parking and loading)
Minimum Rear Yard Setback (feet)	15 feet (buildings) 5 feet (off street parking and loading)	20 feet (buildings) 10 feet (off street parking and loading)

- C. Off street parking setbacks exception: The side yard setbacks for off street parking areas shall be 0 feet when abutting the off street parking area of an adjacent buildable lot, provided that the parking lots are configured to allow cross-access traffic circulation and shared parking between buildable lots. In such instances, a permanent easement allowing shared parking and cross-access traffic circulation shall be established and recorded against all affected lots.
- D. Rear/side yard building setback exception adjacent to Lot 28: The rear or side yard building setback for Lots 24-27 (depending on orientation) from Lot 28 (reserved for stormwater retention pond) may be reduced to 0 feet. The intent of this setback reduction is to accommodate a restaurant, banquet hall or similar

facility that effectively incorporates the Lot 28 pond into the site design as a water feature or amenity. The setback may only be reduced if there are no parking facilities, private drive or access easement for traffic circulation along the south property lines of Lots 24-27. Sidewalks and/or multi-purpose trail would be permitted and would not prevent the setback reduction as described.

Exhibit J

Gilberts Corporate Park PUD Office Lots

1. Purpose

The following regulations shall apply to Lots 31-43 of the Gilberts Corporate Park PUD. The regulations for these lots are intended to provide opportunities for a mix of commercial, office and light-industrial uses. Activities permitted on these lots are limited to assure that the high quality of the environment is maintained within the district and to minimize off-site impacts, particularly to nearby residential areas. The regulations for the subject lots are based on elements from the Village's Commercial (C-1), Office (O-1) and Industrial (I-1) zoning districts.

2. Permitted Uses

The following uses and no other are permitted as of right on the subject lots:

1. Office and Professional Uses
 - a. Office and professional uses, general, except as noted elsewhere
2. Retail Business Uses
 - a. Agriculture implement sales and service
 - b. Air condition sales and service
 - c. Appliance sales and service
 - d. Automobile, motorcycle, and truck sales and services
 - e. Bicycle sales and service
 - f. Boat sales and services
 - g. Building materials and garden supply stores
 - h. Business machine sales and service
 - i. Electrical supply and equipment stores
 - j. Farm supply stores
 - k. Feed and grain stores
 - l. Lawn mower sales and service
 - m. Motor vehicle sales and service
 - n. Plumbing appliance and equipment stores
 - o. Tire, batter, and accessory sales and service
 - p. Tool sales and service
3. Service Uses
 - a. Ambulance services
 - b. Automobile body shops
 - c. Automobile repair and service
 - d. Blue printing, copying, and small duplicating establishments
 - e. Diaper, linen, and towel services

- f. Equipment rental and leasing
- g. Exterminating and fumigating services
- h. Furniture cleaning, upholstery and repair shops
- i. Glass cutting and glazing services
- j. Motor vehicle rental agencies
- k. Motor vehicle towing services
- l. Parcel pick-up and delivery services
- m. Sewer and septic cleaning and rodding services
- n. Taxicab offices and storage

4. Health, Medical, and Care Facilities

- a. Health treatment centers
- b. Hospitals
- c. Medical laboratories
- d. Medical offices
- e. Drug stores and pharmacies (with or without drive-through)

5. Public and Utility Uses

- a. Fire stations
- b. Government offices
- c. Police stations
- d. Post offices
- e. Village uses, buildings, and facilities, subject to section 9-1-3

6. Cultural, Recreational and Entertainment Uses

- d. Health clubs
- g. Swimming clubs and pools
- h. Tennis, racquetball, handball and other private recreational clubs

7. Educational Uses

- a. Business and technical schools
- b. Personnel training centers
- c. Trade and vocational schools

8. Similar and Compatible Uses: Other uses that are similar and compatible to those allowed as permitted uses in the O-1 District and the PUD ordinance, as determined by the Zoning Administrator.

3. Special Uses

The following uses may be permitted on the subject lots, subject to the issuance of a special use permit as provided by the Zoning Code and subject to the additional standards set forth in the PUD ordinance.

1. Industrial and Manufacturing Uses
 - a. Construction and contractor's offices and yards
 - b. Facilities for manufacturing, processing, assembly, and packaging of:
 1. Apparel and other finished products made from fabric and similar products
 2. Electrical and electronic machinery, equipment, and supplies
 3. Fabricated metal products, except machinery and transportation equipment
 4. Food and kindred products
 5. Furniture and fixtures
 6. Jewelry, silverware, and plated ware
 7. Lead pencils, crayons, and artists materials
 8. Leather and leather products
 9. Lumber and wood products, except furniture
 10. Machinery, except electrical
 11. Musical instruments
 12. Paper and allied products
 13. Primary metal products
 14. Rubber and plastics products
 15. Stone, clay and glass products
 16. Textile mill products
 17. Tobacco products
 18. Toys and amusement, sporting, and athletic goods
 19. Transportation equipment
2. Cultural, Recreational, and Entertainment Uses
 - a. Indoor amusement parks
 - b. Auditoriums, private
 - c. Gymnasiums, school and park
 - d. Health clubs
 - e. Ice skating rinks, indoor
 - f. Indoor swimming clubs and pools
 - g. Indoor tennis, racquetball, handball, and other private recreational clubs
3. Health, Medical, and Care Facilities
 - a. Day care centers
 - b. Nursery schools
4. Colleges and Universities

5. Similar and Compatible Uses. Other uses that are similar and compatible to those allowed as special uses in the O-1 District and the PUD ordinance, as determined by the Zoning Administrator

4. Regulations applicable to subject lots

- A. Site Plan Review: Any exterior construction, change in use, or increase in the intensity of an existing use on the subject lots, excluding normal repair and maintenance activities, shall require site plan review in accordance with the Zoning Code and the PUD ordinance for the subject development.
- B. Operation within an Enclosed Structure: All business, service, storage, and display of goods shall be conducted within completely enclosed structures, except for the following:
 1. Automobile service stations
 2. Motor vehicle sales
 3. Off-street parking and loading
 4. Outdoor seating areas accessory to bars, restaurants, and taverns
 5. Refuse disposal area
 8. Sale or display of merchandise sold or offered for sale through vending machines, provided the machines do not occupy an aggregate ground area of more than 16 square feet
 9. Temporary uses, subject to the regulations set forth in the Zoning Code and in the PUD ordinance for the subject development
- C. Exterior of Buildings:
 1. All sides, elevations or facades of all buildings and structures shall be architecturally and aesthetically compatible with the surrounding environment. No side, elevation or façade shall be exempt from public view and thus subject to the regulations set forth in the PUD ordinance.
 2. Exterior walls and externally visible opaque surfaces shall be constructed of not more than three of the following types of materials (except for the use of other accent or exterior trim materials, glass and glazing, and details): brick, architectural precast concrete panels; decorative concrete block (for no more than 10% of the exterior building wall area); cut stone; exterior insulation and finish systems such as Drivit or Sunalar or equivalent, for no more than 10% of the exterior building wall area, or wood. Newly developed building materials comparable in appearance to

those materials listed above shall be approved on a case-by-case basis by the Chief Building Inspector.

3. All mechanical, electrical, pollution control or waste handling equipment, whether roof, pedestal or ground mounted, and any outside solid waste, raw materials, inventory, finished product, equipment, fuel storage or other storage of any kind, shall either be architecturally screened from view using materials identical to, or structurally and visibly compatible with, the principal building(s) on the site. All storage areas shall be screened and set on a concrete or asphalt hard surface.

- D. Other Applicable Regulations: Unless specified by the PUD ordinance, the regulations set forth properties in O-1 Office zoning district, as it may be updated from time to time, shall apply.

5. Bulk, Space and Yard Requirements

- A. Requirements: The building height, lot area, setback, lot coverage, lot width, and floor area ratio (FAR) requirements applicable to the subject lots are set forth in the table on the following page. Where the Village has approved specific bulk, space, and yard requirements that vary from the applicable district requirements as they may be updated from time to time, the regulations set forth in the PUD ordinance shall govern. The relief from or requirements beyond the provisions set forth in the I-1 Industrial Zoning District
- B. Buildable Lots: The bulk, space and yard requirements set forth in the PUD ordinance shall apply to any bundling of individual lots amalgamated into a single buildable lot for development purposes. The assembled lots shall be treated as a single buildable lot subject to the requirements set forth in the PUD ordinance. Individual lots shall not be considered buildable unless the lot(s) can satisfy the bulk, space and yard requirements set forth as follows.

	O-1 Zoning District	PUD Ordinance
Minimum District Area	N/A	N/A
Minimum Lot Area	1 acre, except corner lots or lots abutting residential districts shall be 1.25 acres	0.5 acre
Minimum Lot Width (feet)	150	100
Maximum Lot Coverage for all buildings	70% of lot area	85% of lot area
Maximum Floor Area Ratio for all buildings	40% of lot area	60% of lot area
Maximum Building Height	35	35

(feet)		
Minimum Front and Corner Side Yard Setback (feet)	45 (buildings) 10 feet (off street parking and loading)	30 from public rights of way or Private Drive (buildings) 10 feet (off street parking and loading)
Minimum Interior Side Yard Setback (feet)	10 feet (buildings) 5 feet (off street parking and loading)	20 feet (buildings) 10 feet (off street parking and loading)
Minimum Rear Yard Setback (feet)	10 feet (buildings) 5 feet (off street parking and loading)	40 feet from Tyrrell Road (buildings) 40 feet from Tyrrell Road (off street parking and loading)

- C. Off street parking setbacks exception: The side yard setbacks for off street parking areas shall be 0 feet when abutting the off street parking area of an adjacent buildable lot, provided that the parking lots are configured to allow cross-access traffic circulation and shared parking between buildable lots. In such instances, a permanent easement allowing shared parking and cross-access traffic circulation shall be established and recorded against all affected lots.
- D. Off street parking and loading setback from Tyrrell Road: The setback from Tyrrell Road for off street parking and loading areas may be reduced by up to ten (10) feet. Such a setback reduction would likely require removal of the westernmost slope of the existing berm along Tyrrell Road. This setback reduction may be accomplished by the design and construction of a retaining wall, as approved to the Village Engineer's specifications. The retaining wall may not extend beyond the top elevation of the berm and may not be visible from the east berm elevation.