



United City of Yorkville

800 Game Farm Road

Yorkville, Illinois 60560

Telephone: 630-553-4350

www.yorkville.il.us

AGENDA ECONOMIC DEVELOPMENT COMMITTEE MEETING

Tuesday, April 3, 2018

6:00 p.m.

City Hall Conference Room
800 Game Farm Road, Yorkville, IL

Citizen Comments:

Minutes for Correction/Approval: March 6, 2018

New Business:

1. EDC 2018-23 Building Permit Report for February 2018
2. EDC 2018-24 Building Inspection Report for February 2018
3. EDC 2018-25 Property Maintenance Report for February 2018
4. EDC 2018-26 Economic Development Update
5. EDC 2018-27 Kendall Marketplace – PUD Amendment for Signage
6. EDC 2018-28 Kendall Marketplace – PUD Amendment for Residential Lots
7. EDC 2018-29 Ashley Pointe Subdivision – Third Amendment to the Annexation Agreement and Amended Final Plat
8. EDC 2018-30 Sales Tax Incentive Update
9. EDC 2018-31 Downtown Redevelopment Project Area #2
10. EDC 2018-32 Goal 1 – Manufacturing and Industrial Action Plan – BNSF Site Certification Update
11. EDC 2018-33 Goal 1 – Manufacturing and Industrial Action Plan – YBSD

Old Business:

Additional Business:

2017/2018 City Council Goals – Economic Development Committee		
Goal	Priority	Staff
“Downtown Planning”	1	Bart Olson & Krysti Barksdale-Noble
“Southside Development”	2	Bart Olson & Krysti Barksdale-Noble
“Manufacturing and Industrial Development”	4	Krysti Barksdale-Noble
“Revenue Growth”	9	Krysti Barksdale-Noble
“Capital Improvement Plan”	11	Bart Olson & Krysti Barksdale-Noble
“Community Entrance Signage and Wayfinding”	14	Krysti Barksdale-Noble

UNITED CITY OF YORKVILLE
WORKSHEET
ECONOMIC DEVELOPMENT COMMITTEE
Tuesday, April 3, 2018
6:00 PM
CITY HALL CONFERENCE ROOM

CITIZEN COMMENTS:

MINUTES FOR CORRECTION/APPROVAL:

1. March 6, 2018

- ☐ Approved _____
- ☐ As presented
- ☐ With corrections

NEW BUSINESS:

1. EDC 2018-23 Building Permit Report for February 2018

- ☐ Moved forward to CC _____ consent agenda? Y N
 - ☐ Approved by Committee _____
 - ☐ Bring back to Committee _____
 - ☐ Informational Item
 - ☐ Notes _____
-
-

2. EDC 2018-24 Building Inspection Report for February 2018

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

3. EDC 2018-25 Property Maintenance Report for February 2018

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

4. EDC 2018-26 Economic Development Update

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

5. EDC 2018-27 Kendall Marketplace – PUD Amendment for Signage

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

6. EDC 2018-28 Kendall Marketplace – PUD Amendment for Residential Lots

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

7. EDC 2018-29 Ashley Pointe Subdivision – Third Amendment to the Annexation Agreement and Amended Final Plat

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

8. EDC 2018-30 Sales Tax Incentive Update

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

9. EDC 2018-31 Downtown Redevelopment Project Area #2

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

10. EDC 2018-32 Goal 1 – Manufacturing and Industrial Action Plan – BNSF Site Certification Update

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

11. EDC 2018-33 Goal 1 – Manufacturing and Industrial Action Plan – YBSD

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

ADDITIONAL BUSINESS:



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

Minutes

Tracking Number

Agenda Item Summary Memo

Title: Minutes of the Economic Development Committee – March 6, 2018

Meeting and Date: Economic Development Committee – April 3, 2018

Synopsis: _____

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: Majority

Council Action Requested: Committee Approval

Submitted by: _____ Minute Taker

Name

Department

Agenda Item Notes:

Have a question or comment about this agenda item?

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DRAFT

**UNITED CITY OF YORKVILLE
ECONOMIC DEVELOPMENT COMMITTEE
Tuesday, March 6, 2018, 6:00pm
City Conference Room**

In Attendance:

Committee Members

Chairman Ken Koch
Alderman Joel Frieders
Alderman Carlo Colosimo

Absent: Alderman Alex Hernandez

Other City Officials

Interim Assistant City Administrator Erin Willrett
Community Development Director Krysti Barksdale-Noble
Code Official Pete Ratos
Senior Planner Jason Engberg
Alderman Chris Funkhouser
City Consultant Lynn Dubajic

Other Guests

Gary Neyer, Marker Inc.

The meeting was called to order by Chairman Ken Koch at 6:00pm.

Citizen Comments: None

Minutes for Correction/Approval: February 6, 2018

The minutes were approved on a unanimous voice vote.

New Business

1. EDC 2018-17 Building Permit Reports for January 2018

Mr. Ratos reported 43 total permits, 15 single family permits, (11 were B.U.I.L.D.) and also 10 commercial permits. No further discussion.

2. EDC 2018-18 Building Inspection Report for January 2018

There were 163 inspections, most of which were for Ryan Homes in Caledonia. No further discussion.

3. EDC 2018-19 Property Maintenance Report for January 2018

Mr. Ratos cited a case of an unsafe structure on S. State St. where the 98 year old owner does not reside in the house. Many offers have been made, however, the owner/bank will only accept a certain minimum amount. No further discussion.

4. EDC 2018-20 Economic Development Report for February 2018

Ms. Dubajic reported the following:

1. Owners of restaurant “1836” notified city of their immediate closure, plan to reopen with a new concept and new signage
2. Owner of banquet hall on Stagecoach has gotten building permit for exterior
3. Idea Marketing and Subway have left Fountain Village development Lower rents might encourage tenancy.
4. Owner of Kendall Marketplace has requested larger signs due to Rt. 34 expansion, working with potential junior box store that wishes to be on the signs. Another fashion store looking at this area. Residential building has also begun on the nearby lots.
5. Chicago Fire coming to Go For It Sports to hold free camps, dates to be announced.

5. EDC 2018-21 Kendall Marketplace SSA Amendment

Ms. Noble said this amendment revises the SSA since some lots had been erroneously included. Attorney Orr has drafted the ordinance and it is recommended to move this forward to the March 13th Council consent agenda.

6. EDC 2018-22 Warpinski – Walker Road Rezoning – 1.5 Mile Review

Mr. Engberg said the County had notified the city of a rezoning request on a 7-acre parcel on Walker Road from A-1 to R-1 and requires the 1.5 Mile Review. The ITEP Plan shows trails and the County and property owners were made aware. This matter moves to the Planning and Zoning Commission on March 14 and the committee was OK with this request.

Old Business

1. EDC 2018-15 Developer Deposit Report/Ordinance

Ms. Noble made some revisions after suggestions from the committee last month. Developer fees will increase from \$5,000 to \$25,000 with a minimum deposit of \$2,500. An upfront engineering fee estimate will be provided and the developer can pay in full or replenish as necessary. Ms. Noble also noted 2 charges that would be removed from the changes suggested. All changes will be codified.

Ms. Noble reached out to Gary Neyer of Marker Inc. since he had voiced concern about the high amounts. Mr. Neyer was present and said the plan review fees were much too high. He said they did a development in 2011 when plan reviews were done by the city in-house. He said just the earthwork is a very substantial cost.

Alderman Colosimo asked how the proposed rates compare to the nearby cities and Ms. Noble said it was comparable. He does not want to scare developers away, while making sure the city covers their costs. He would like to see a fixed fee. As the project moves along, Alderman Frieders requested performance indicators. Alderman Funkhouser compared the proposed rates to other towns he had researched. He said the proposal will affect developers and he would like the rates tightened, though he prefers a fixed fee.

This proposal will move forward for a Public Hearing and will return to EDC in May. Mr. Sanderson and Ms. Noble will work together on the fee structure and invoices can be adjusted.

Additional Business None

There was no further business and the meeting adjourned at 6:47pm.

Minutes respectfully submitted by
Marlys Young, Minute Taker



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input checked="" type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

New Business #1

Tracking Number

EDC 2018-23

Agenda Item Summary Memo

Title: Building Permit Report for February 2018

Meeting and Date: Economic Development Committee – April 3, 2018

Synopsis: All permits issued in February 2018.

Council Action Previously Taken:

Date of Action: N/A Action Taken: N/A

Item Number: N/A

Type of Vote Required: Informational

Council Action Requested: None

Submitted by: D. Weinert Community Development
Name Department

Agenda Item Notes:



UNITED CITY OF YORKVILLE

BUILDING PERMIT REPORT

February 2018

TYPES OF PERMITS

	Number of Permits Issued	SFD <i>Single Family Detached</i>	B.U.I.L.D <i>Single Family Detached Program Begins 1/1/2012</i>	SFA <i>Single Family Attached</i>	Multi- Family <i>Apartments Condominiums</i>	Commercial <i>Includes all Permits Issued for Commercial Use</i>	Industrial	Misc.	Construction Cost	Permit Fees
February 2018	45	6	2	12	0	16	0	9	2,755,869.00	248,008.35
Calendar Year 2018	88	10	13	12	0	26	0	27	6,085,054.00	471,022.48
Fiscal Period	785	63	70	24	0	137	0	491	65,547,956.00	2,537,949.22
February 2017	41	1	4	0	0	10	0	26	914,889.00	80,663.89
Calendar Year 2017	74	2	10	0	0	20	0	42	2,835,966.00	178,819.44
Fiscal Period	712	41	86	0	0	101	0	484	31,023,705.00	1,563,652.52
February 2016	32	0	8	0	0	7	0	17	1,633,170.00	116,157.38
Calendar Year 2016	51	0	8	0	0	17	0	26	1,801,812.00	118,557.38
Fiscal Period	510	7	62	0	0	112	0	329	16,056,917.00	942,988.46
February 2015	10	0	0	0	0	3	0	7	33,546.00	932.15
Calendar Year 2015	31	0	5	0	0	14	0	12	31,076,297.00	97,112.42
Fiscal Period 2015	460	2	52	0	0	87	0	319	50,319,614.00	879,009.19



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input checked="" type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

New Business #2

Tracking Number

EDC 2018-24

Agenda Item Summary Memo

Title: Building Inspection Report for February 2018

Meeting and Date: Economic Development Committee – April 3, 2018

Synopsis: All inspections scheduled in February 2018.

Council Action Previously Taken:

Date of Action: N/A Action Taken: N/A

Item Number: N/A

Type of Vote Required: Informational

Council Action Requested: None

Submitted by: D. Weinert Community Development
Name Department

Agenda Item Notes:

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DATE: 03/01/2018
TIME: 15:42:25
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 1

INSPECTIONS SCHEDULED FROM 02/01/2018 TO 02/28/2018

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
PR	_____	009-PLR PLUMBING - ROUGH	20160888	129 COMMERCIAL DR	18		02/22/2018
PR	_____	040-FIN FINAL INSPECTION	20160894	1050 FREEMONT ST			02/27/2018
		Comments1: 1ST FLOOR					
PR	_____	041-PLF PLUMBING - FINAL OSR READ					02/27/2018
		Comments1: 1ST FLOOR					
PR	_____	013-FIN FINAL INSPECTION	20170311	2738 CRANSTON CIR	116		02/27/2018
PR	_____	014-PLF PLUMBING - FINAL OSR READ					02/27/2018
TK	_____	015-EFL ENGINEERING - FINAL INSPE					02/26/2018
PR	_____	013-FIN FINAL INSPECTION	20170314	2795 CRANSTON CIR	140		02/27/2018
PR	_____	014-PLF PLUMBING - FINAL OSR READ				02/26/2018	
TK	_____	015-EFL ENGINEERING - FINAL INSPE					02/26/2018
BC	_____	AM 013-STP STOOP	20170494	602 WINDETT RIDGE RD	159		02/28/2018
BC	_____	010-FIN FINAL INSPECTION	20170524	1800 MARKETVIEW DR	4		02/28/2018
		Comments1: PARTIAL FINAL FOR STOCKING					
PR	_____	015-FIN FINAL INSPECTION	20170612	2836 CRANSTON CIR	96		02/08/2018
PR	_____	016-PLF PLUMBING - FINAL OSR READ					02/08/2018
TK	_____	017-EFL ENGINEERING - FINAL INSPE					02/08/2018
		Comments1: BBOX KEYABLE OK TO TEMP					
PR	_____	016-FIN FINAL INSPECTION	20170645	1985 MEADOWLARK LN	115		02/05/2018
PR	_____	017-PLF PLUMBING - FINAL OSR READ					02/05/2018
TK	_____	018-EFL ENGINEERING - FINAL INSPE					02/05/2018
		Comments1: BBOX KEYABLE OK TO TEMP					
PR	_____	015-FIN FINAL INSPECTION	20170648	927 N CARLY CIR	128		02/14/2018
PR	_____	016-PLF PLUMBING - FINAL OSR READ					02/14/2018
TK	_____	017-EFL ENGINEERING - FINAL INSPE					02/14/2018
		Comments1: BBOX KEYABLE OK TO TEMP					
PR	_____	014-FIN FINAL INSPECTION	20170649	911 PURCELL ST	65		02/14/2018

DATE: 03/01/2018
TIME: 15:42:25
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 2

INSPECTIONS SCHEDULED FROM 02/01/2018 TO 02/28/2018

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
PR	_____	015-PLF PLUMBING - FINAL OSR READ					02/14/2018
TK	_____	016-EFL ENGINEERING - FINAL INSPE Comments1: BBOX KEYABLE OK TO TEMP					02/14/2018
PR	_____	001-RFR ROUGH FRAMING	20170666	661 OMAHA DR			02/28/2018
PR	_____	002-REL ROUGH ELECTRICAL					02/28/2018
PR	_____	003-RMC ROUGH MECHANICAL					02/28/2018
PR	_____	004-RST FIRE OR DRAFT STOPPING					02/28/2018
PR	_____	005-PLU PLUMBING - UNDERSLAB					02/28/2018
PR	_____	014-FIN FINAL INSPECTION	20170759	584 WINDETT RIDGE RD	167		02/02/2019
PR	_____	015-PLF PLUMBING - FINAL OSR READ					02/02/2008
TK	_____	016-EFL ENGINEERING - FINAL INSPE Comments1: BBOX KEYABLE OK TO TEMP					02/02/2018
PR	_____	007-RFR ROUGH FRAMING	20170796	2609 FAIRFAX WAY	251		02/07/2018
PR	_____	008-REL ROUGH ELECTRICAL					02/07/2018
PR	_____	009-RMC ROUGH MECHANICAL					02/07/2018
PR	_____	010-PLR PLUMBING - ROUGH					02/07/2018
BC	_____	011-INS INSULATION					02/14/2018
BC	_____	AM 012-STP STOOP					02/28/2018
BC	_____	014-GAR GARAGE FLOOR					02/28/2018
PR	_____	015-FIN FINAL INSPECTION	20170806	811 CAULFIELD PT	107		02/02/2018
TK	_____	016-EFL ENGINEERING - FINAL INSPE Comments1: BBOX KEYABLE OK TO TEMP					02/02/2018
PR	_____	017-PLF PLUMBING - FINAL OSR READ					02/02/2008
TK	_____	014-EFL ENGINEERING - FINAL INSPE Comments1: BBOX KEYABLE	20170807	2465 WILTON CT	128		02/27/2017
PR	_____	015-FIN FINAL INSPECTION					02/27/2018

DATE: 03/01/2018
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UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 3

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PR	_____	016-PLF PLUMBING - FINAL OSR READ					02/27/2018
PR	_____	002-RFR ROUGH FRAMING	20170824	1100 W VETERANS PKWY			02/21/2018
PR	_____	003-REL ROUGH ELECTRICAL					02/21/2018
PR	_____	004-RMC ROUGH MECHANICAL					02/21/2018
PR	_____	005-PLR PLUMBING - ROUGH					02/21/2018
PR	_____	005-RFR ROUGH FRAMING	20170836	331 WESTWIND DR	34		02/22/2018
PR	_____	006-REL ROUGH ELECTRICAL					02/22/2018
PR	_____	007-RMC ROUGH MECHANICAL					02/22/2018
PR	_____	008-PLR PLUMBING - ROUGH					02/22/2018
BC	_____	009-BSM BASEMENT FLOOR					02/27/2018
PR	_____	017-FIN FINAL INSPECTION	20170841	3161 LAUREN DR	87		02/20/2018
PR	_____	018-PLF PLUMBING - FINAL OSR READ					02/20/2018
TK	_____	019-EFL ENGINEERING - FINAL INSPE Comments1: COULD NOT KEY BBOX DUE TO FLOODED AREA A Comments2: ROUND IT.					02/20/2018
TK	_____	018-EFL ENGINEERING - FINAL INSPE Comments1: BBOX KEYABLE OK TO TEMP	20170842	505 SHADOW WOOD DR	106		02/13/2018
PR	_____	019-FIN FINAL INSPECTION					02/13/2018
PR	_____	020-PLF PLUMBING - FINAL OSR READ					02/13/2018
PR	_____	005-RFR ROUGH FRAMING	20170859	982 N CARLY CIR	57		02/06/2018
PR	_____	006-REL ROUGH ELECTRICAL					02/06/2018
PR	_____	007-RMC ROUGH MECHANICAL					02/06/2018
PR	_____	008-PLR PLUMBING - ROUGH					02/06/2018
BC	_____	009-INS INSULATION					02/14/2018
BC	_____	PM 001-FIN FINAL INSPECTION	20170924	1705 CANDLEBERRY LN	22		02/01/2018
BC	_____	PM 003-FIN FINAL INSPECTION	20170925	129 COMMERCIAL DR	18		02/27/2018

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UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 4

INSPECTIONS SCHEDULED FROM 02/01/2018 TO 02/28/2018

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
BC	_____	003-FIN FINAL INSPECTION	20170945	1414 ASPEN LN	86		02/21/2018
PR	_____	009-RFR ROUGH FRAMING	20170949	344 FONTANA DR	54		02/14/2018
PR	_____	010-REL ROUGH ELECTRICAL					02/14/2018
PR	_____	011-PLR PLUMBING - ROUGH					02/14/2018
PR	_____	012-RMC ROUGH MECHANICAL					02/14/2018
PR	_____	013-INS INSULATION					02/16/2018
PR	_____	014-STK STACK TEST					02/16/2018
BC	_____	015-GAR GARAGE FLOOR					02/21/2018
BC	_____	016-STP STOOP					02/21/2018
PR	_____	009-RFR ROUGH FRAMING	20170960	465 SHADOW WOOD DR	33		02/21/2018
PR	_____	010-REL ROUGH ELECTRICAL					02/21/2018
PR	_____	011-RMC ROUGH MECHANICAL					02/21/2018
PR	_____	012-PLR PLUMBING - ROUGH					02/21/2018
PR	_____	013-INS INSULATION					02/23/2018
PR	_____	014-STK STACK TEST					02/23/2018
BC	_____	015-GAR GARAGE FLOOR					02/21/2018
BC	_____	016-STP STOOP					02/20/2018
BC	_____	001-FTG FOOTING	20170961	3245 LONGVIEW DR	44		02/28/2018
BC	_____	003-BKF BACKFILL	20170962	3204 PINWOOD DR	37		02/06/2018
PR	_____	004-ESW ENGINEERING - SEWER / WAT					02/05/2018
PR	_____	005-ESS ENGINEERING - STORM					02/05/2018
PR	_____	006-PLF PLUMBING - FINAL OSR READ					02/16/2018
BC	_____	007-BSM BASEMENT FLOOR					02/21/2018
BC	_____	008-CRL CRAWL SPACE					02/21/2018

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UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 5

INSPECTIONS SCHEDULED FROM 02/01/2018 TO 02/28/2018

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
BC	_____	AM 006-BSM BASEMENT FLOOR	20170981	2731 PHELPS CT	268		02/28/2018
BC	_____	003-BKF BACKFILL	20170982	2667 FAIRFAX WAY	258		02/07/2018
PR	11:30	004-ESW ENGINEERING - SEWER / WAT					02/14/2018
BC	_____	003-BKF BACKFILL	20170985	3475 RYAN DR	3		02/06/2018
PR	_____	004-ESS ENGINEERING - STORM					02/05/2018
PR	_____	005-ESW ENGINEERING - SEWER / WAT					02/05/2018
PR	_____	006-PLU PLUMBING - UNDERSLAB					02/16/2018
BC	_____	007-BSM BASEMENT FLOOR					02/21/2018
BC	_____	008-CRL CRAWL SPACE					02/21/2018
PR	_____	006-PLU PLUMBING - UNDERSLAB	20170986	562 SHADOW WOOD DR	96		02/07/2018
BC	_____	007-BSM BASEMENT FLOOR					02/14/2018
BC	_____	008-CRL CRAWL SPACE					02/14/2018
PR	_____	009-STK STACK TEST					02/28/2018
BC	_____	010-INS INSULATION					02/28/2018
PR	_____	014-REL ROUGH ELECTRICAL					02/27/2018
PR	_____	006-PLU PLUMBING - UNDERSLAB	20170987	582 SHADOW WOOD DR	94		02/07/2018
BC	_____	007-BSM BASEMENT FLOOR					02/14/2018
BC	_____	008-CRL CRAWL SPACE					02/14/2018
BC	_____	001-FTG FOOTING	20170988	3228 BOOMBAH BLVD	137		02/14/2018
BC	_____	AM 002-FOU FOUNDATION					02/16/2018
BC	_____	003-BKF BACKFILL					02/23/2018
PR	_____	004-ESW ENGINEERING - SEWER / WAT					02/26/2018
PR	_____	005-ESS ENGINEERING - STORM					02/26/2018
BC	_____	PM 002-FOU FOUNDATION	20170991	984 S CARLY CIR	109		02/02/2018

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UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 6

INSPECTIONS SCHEDULED FROM 02/01/2018 TO 02/28/2018

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
BC	_____	003-BKF BACKFILL					02/20/2018
BC	_____	001-FTG FOOTING	20170992	996 S CARLY CIR	111		02/22/2018
BC	_____	AM 002-FOU FOUNDATION					02/28/2018
BC	_____	002-FOU FOUNDATION	20170993	988 S CARLY CIR	110		02/08/2018
BC	_____	003-BKF BACKFILL					02/20/2018
BC	_____	AM 001-FIN FINAL INSPECTION	20170999	1571 CORNERSTONE DR	41		02/20/2018
BC	_____	001-FTG FOOTING	20171002	2643 MCLELLAN BLVD	45		02/06/2018
BC	_____	002-FOU FOUNDATION					02/14/2018
BC	_____	003-BKF BACKFILL					02/23/2018
PR	_____	PM 004-WAT WATER					02/28/2018
BC	_____	001-FTG FOOTING	20171004	2609 BURR ST	79		02/06/2018
BC	_____	002-FOU FOUNDATION					02/13/2018
BC	_____	003-BKF BACKFILL					02/23/2018
PR	_____	004-WAT WATER					02/28/2018
BC	_____	001-FTG FOOTING	20180015	3303 CALEDONIA DR	77		02/23/2018
BC	_____	002-FOU FOUNDATION					02/27/2018
BC	_____	001-FTG FOOTING	20180016	542 SHADOW WOOD DR	98		02/28/2018
BC	_____	001-FTG FOOTING	20180017	3208 BOOMBAH BLVD	136		02/14/2018
BC	_____	AM 002-FOU FOUNDATION					02/16/2018
BC	_____	003-BKF BACKFILL					02/26/2018
PR	_____	004-ESW ENGINEERING - SEWER / WAT					02/26/2018
PR	_____	005-ESS ENGINEERING - STORM					02/26/2018
BC	_____	001-FTG FOOTING	20180018	3182 LAUREN DR	115		02/23/2018
BC	_____	002-FOU FOUNDATION					02/27/2018

DATE: 03/01/2018
TIME: 15:42:25
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 7

INSPECTIONS SCHEDULED FROM 02/01/2018 TO 02/28/2018

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE
BC	_____	002-FIN FINAL INSPECTION	20180023	548 REDHORSE LN	138		02/05/2018
		Comments1: ONE SLAT AT REAR OF FENCE IS NOT NAILED					
		Comments2: AT BOTTOM STRINGER.4TH SLAT SOUTH OF 2ND					
		Comments3: POST FROM NE CORNER POST.					
BC	_____	001-FTG FOOTING	20180033	2691 FAIRFAX WAY	261		02/14/2018
BC	_____	003-BKF BACKFILL					02/23/2018
PR	_____	004-ESW ENGINEERING - SEWER / WAT					02/26/2018
BC	_____	PM 001-OCC OCCUPANCY INSPECTION	20180045	1185 N BRIDGE ST			02/07/2018
BC	_____	001-OCC OCCUPANCY INSPECTION	20180047	234 GARDEN ST	6		02/06/2018
BKF	_____	002-OCC OCCUPANCY INSPECTION					02/07/2018
PR	_____	001-RFR ROUGH FRAMING	20180053	88 CROOKED CREEK DR	10		02/27/2018
PR	_____	002-REL ROUGH ELECTRICAL					02/27/2018
PR	_____	003-PLR PLUMBING - ROUGH					02/27/2018

DATE: 03/01/2018
TIME: 15:42:25
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 8

INSPECTIONS SCHEDULED FROM 02/01/2018 TO 02/28/2018

INSPECTOR	TIME	TYPE OF INSPECTION	PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE

PERMIT TYPE SUMMARY:		APT APARTMENT, CONDO			2		
		BIP BUILD INCENTIVE PROGRAM SFD			52		
		BSM BASEMENT REMODEL			3		
		CCO COMMERCIAL OCCUPANCY PERMIT			3		
		CRM COMMERCIAL REMODEL			7		
		DCK DECK			1		
		FNC FENCE			1		
		GEN STAND BY GENERATOR			1		
		REP REPAIR			5		
		SFD SINGLE-FAMILY DETACHED			72		
		WIN WINDOW REPLACEMENT			1		
INSPECTION SUMMARY:		BKF BACKFILL			10		
		BSM BASEMENT FLOOR			6		
		CRL CRAWL SPACE			4		
		EFL ENGINEERING - FINAL INSPECTION			11		
		ESS ENGINEERING - STORM			4		
		ESW ENGINEERING - SEWER / WATER			6		
		FIN FINAL INSPECTION			18		
		FOU FOUNDATION			9		
		FTG FOOTING			10		
		GAR GARAGE FLOOR			3		
		INS INSULATION			5		
		OCC OCCUPANCY INSPECTION			3		
		PLF PLUMBING - FINAL OSR READY			13		
		PLR PLUMBING - ROUGH			8		
		PLU PLUMBING - UNDERSLAB			4		
		REL ROUGH ELECTRICAL			9		
		RFR ROUGH FRAMING			8		
		RMC ROUGH MECHANICAL			7		
		RST FIRE OR DRAFT STOPPING			1		
		STK STACK TEST			3		
		STP STOOP			4		
		WAT WATER			2		
INSPECTOR SUMMARY:		BC BOB CREADEUR			57		
		BKF BRISTOL KENDALL FIRE DEPT			1		
		PR PETER RATOS			79		
		TK TOM KONEN			11		
STATUS SUMMARY:	C	BC			5		
	C	BKF			1		
	C	PR			4		
	C	TK			2		
	I	BC			52		

DATE: 03/01/2018
TIME: 15:42:25
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UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

INSPECTIONS SCHEDULED FROM 02/01/2018 TO 02/28/2018

INSPECTOR	TIME	TYPE OF INSPECTION		PERMIT	ADDRESS	LOT	SCHED. DATE	COMP. DATE

		I	PR		57			
		T	PR		18			
		T	TK		9			

REPORT SUMMARY: 148



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input checked="" type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

New Business #3

Tracking Number

EDC 2018-25

Agenda Item Summary Memo

Title: Property Maintenance Report for February 2018

Meeting and Date: Economic Development Committee – April 3, 2018

Synopsis: _____

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: Informational

Council Action Requested: None

Submitted by: Pete Ratos Community Development
Name Department

Agenda Item Notes:

Have a question or comment about this agenda item?

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Memorandum

To: Economic Development Committee
From: Pete Ratos, Code Official
CC: Bart Olson, Krysti Barksdale-Noble, Lisa Pickering
Date: February 28, 2018
Subject: February Property Maintenance

Property Maintenance Report February 2018

Adjudication:

9 Property Maintenance Cases heard in February

2/12/2018

N3588	804 Morgan St	Junk, Trash, Refuse	Dismissed
N3589	107 E Washington St	Motor Vehicles	Dismissed
N3590	506 W Hydraulic St	Exterior Structure	Dismissed
N3591	1303 Evergreen Ln	Boats	Dismissed
N3592	1945 Marketview Dr	Building Code Permits	Liable \$75
N3593	2029 Raintree Rd	Motor Vehicles	Dismissed
N3594	687 Parkside Ln	Motor Vehicles	Dismissed
N3595	4562 Gardiner Ave	Work Without Permit	Dismissed

Case Report

02/01/2018 - 02/28/2018

Case #	Case Date	TYPE OF VIOLATION	STATUS	VIOLATION LETTER SENT	FOLLOW UP STATUS	CITATION ISSUED
20180062	2/27/2018	Signs with out permit	IN VIOLATION	2/27/2018		
20180061	2/26/2018	Sign blocking the view	IN VIOLATION	2/26/2018		
20180060	2/26/2018	Sign for renewal	IN VIOLATION	2/26/2018		
20180059	2/26/2018	Work with out a permit	IN VIOLATION	2/26/2018		
20180058	2/20/2018	Off Street Parking	IN VIOLATION	2/21/2018		
20180057	2/20/2018	Boat	IN VIOLATION	2/21/2018		
20180056	2/16/2018	Vehicle	PENDING			
20180055	2/16/2018	Vehicle	IN VIOLATION	2/16/2018		
20180054	2/16/2018	Vehicle	IN VIOLATION	2/16/2018		
20180053	2/14/2018	Vehicle	IN VIOLATION	2/15/2018		
20180052	2/14/2018	Vehicle	IN VIOLATION	2/15/2018		
20180051	2/13/2018	Vehicle	IN VIOLATION	2/15/2018		
20180050	2/13/2018	Snow Deposits on Street	IN VIOLATION	2/14/2018		
20180049	2/13/2018	Snow Deposits on Street	IN VIOLATION	2/14/2018		
20180048	2/12/2018	Snow Deposit on Street	IN VIOLATION	2/13/2018		
20180047	2/12/2018	Snow Deposit on Street	IN VIOLATION	2/13/2018		
20180046	2/8/2018	Snow Deposits on Street	IN VIOLATION	2/8/2018		
20180045	2/8/2018	Snow Deposits on Street	IN VIOLATION	2/8/2018		
20180044	2/8/2018	Snow Deposits on Street	IN VIOLATION	2/8/2018		
20180043	2/8/2018	Snow Deposits on Street	IN VIOLATION	2/8/2018		
20180042	2/8/2018	Car parked on the street after snowfall	IN VIOLATION	2/8/2018		
20180041	2/8/2018	Car parked on the street after snowfall	IN VIOLATION	2/8/2018		
20180040	2/8/2018	Car parked on the street after snowfall	IN VIOLATION	2/8/2018		
20180039	2/8/2018	Car parked on the street after snowfall	IN VIOLATION	2/8/2018		
20180038	2/8/2018	Car parked on the street after snowfall	IN VIOLATION	2/8/2018		
20180037	2/8/2018	Snow Deposits on Street	IN VIOLATION	2/8/2018		

20180036	2/7/2018	Vehicle	IN VIOLATION	2/8/2018		
20180035	2/6/2018	Accessory Structure	CLOSED			
20180034	2/6/2018	Boat	CLOSED			
20180033	2/6/2018	Vehicle	IN VIOLATION	2/8/2018		
20180032	2/6/2018	Vehicle	IN VIOLATION	2/8/2018		
20180031	2/2/2018	Vehicle	IN VIOLATION	2/8/2018		
20180030	2/2/2018	Vehicle	IN VIOLATION	2/2/2018		
20180029	2/2/2018	Vehicle	IN VIOLATION	2/2/2018		
20180028	2/1/2018	Vehicle	IN VIOLATION	2/2/2018		

Total Records: 35

3/1/2018



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

New Business #4

Tracking Number

EDC 2018-26

Agenda Item Summary Memo

Title: Economic Development Report for March 2018

Meeting and Date: Economic Development Committee – April 3, 2018

Synopsis: See attached.

Council Action Previously Taken:

Date of Action: N/A Action Taken: _____

Item Number: _____

Type of Vote Required: _____

Council Action Requested: _____

Submitted by: Bart Olson Administration
Name Department

Agenda Item Notes:

Have a question or comment about this agenda item?

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651 Prairie Pointe Drive, Suite 102 • Yorkville, Illinois 60560
Phone 630-553-0843 • FAX 630-553-0889

Monthly Report – for April 2018 EDC Meeting of the United City of Yorkville

March 2018 Activity

Downtown Redevelopment:

- Continue working with Imperial Investments to identify a variety of businesses who may be potential tenant candidates for future and existing buildings.
- Working with Minor Threat Restaurant Group to assist with any needs for the expedient opening of Pizza Riot and Rivers Edge Theatre.

Development south of Fox River:

- Continue working with Eleno Silva. Eleno has been issued an exterior building permit for the partially built structure in Stagecoach Crossing. Exterior construction will begin very soon.
- Working with broker from Fountain Village Center (Route 47 & 71), to identify perspective tenants so that center can begin a “renewal” process. A nail salon has signed a lease, and there is one other perspective tenant that is negotiating on approximately 4,000 square feet of space. This new business may be just the right catalyst to get the Center attracting other new business.

Development north of the Fox River:

- Kendall Crossing...Construction is moving along on the Holiday Inn Express and Banquet Facility. The Banquet and Event Center is now named “Kendall Gardens”. Plans for that building will be delivered to the City for review and building permit during the first week of April. Also, Kendall Hospitality has joined the Yorkville Area Chamber of Commerce as a Premier Member. All systems are GO!!
- Kendall Marketplace...Working with Alex Berman (owner) to identify potential additional development on the project. The junior box is continuing to negotiate their lease. The final hurdle is signage. With the removal of the SSA from the attached single family portion, Alex and I have been meeting with potential residential builders, who may be interested in constructing the townhome component. I am also working with Alex and his brokers from Edgemark to determine whether the time is right to build a multi-tenant building on an outlot.
- Continue to work with two National restaurants chains are looking closely at Yorkville. While I am unable to disclose the names of these two very familiar chains, I can state that one has put a piece of property under contract, and has now extended their contract.
- Salerno’s Hot Dogs has withdrawn from the little “A” frame building on Route 34 just east of Route 47.
- Culver’s is celebrating 12 years in Yorkville. It is time for a general remodel of the restaurant. To get this done correctly and quickly, the Yorkville Culvers will close on Sunday, April 8th at 3PM and will remain closed until Friday, April 13th at 10:30AM normal opening time).
- Yorkville’s Aldi will also be building an addition onto their store. The store will remain open and fully operational during the construction.

Industrial Development:

- Working with Joyce Sloan, the industrial broker, who is the listing agent on Lincoln Prairie on Eldamain Road.
- Continue working with small industrial user to locate in Yorkville. This business owner is a resident, and currently operates in a surrounding community. I hope to be able to report more specifics in the next 30 to 60 days. Project is out for financing options at this time.

Recreation:

- Go for it Sports...continue working with the center, who now has their own Special Olympics team. The team is comprised of 10 area athletes from the ages of 7 to adult, who are training every Tuesday in hopes of making it to the state meet. Also, JC Health & Fitness is now operating in the facility. JC Health & Fitness offers personal training, monthly memberships and fitness classes. At this time, “Spring Break Camps” are being conducted at the facility, and “Summer Camps” are being formulated to meet the need of area families.

Other Activity:

- Attended the Open House for Anthony Place.
- Attended Waubesa Community College selection day for the awarding of scholarships of the 2018-2019 school year.

Respectfully submitted,

Lynn Dubajic
651 Prairie Pointe Drive, Suite 102
Yorkville, IL 60560
lynn@dlkllc.com
630-209-7151 cell



Reviewed By:	
Legal	<input checked="" type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input checked="" type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

New Business #5

Tracking Number

EDC 2018-27

Agenda Item Summary Memo

Title: Kendall Marketplace PUD Amendment for Signage

Meeting and Date: Economic Development Committee - April 3, 2018

Synopsis: Requested Planned Unit Development Amendment to increase the overall sign height for two (2) monument tenant signs.

Council Action Previously Taken:

Date of Action: 10/24/2006 Action Taken: Approval of Ord. 2006-125

Item Number:

Type of Vote Required: Majority

Council Action Requested: Approval

Submitted by: Krysti Barksdale – Noble, AICP Community Development
Name Department

Agenda Item Notes:

See attached memo.

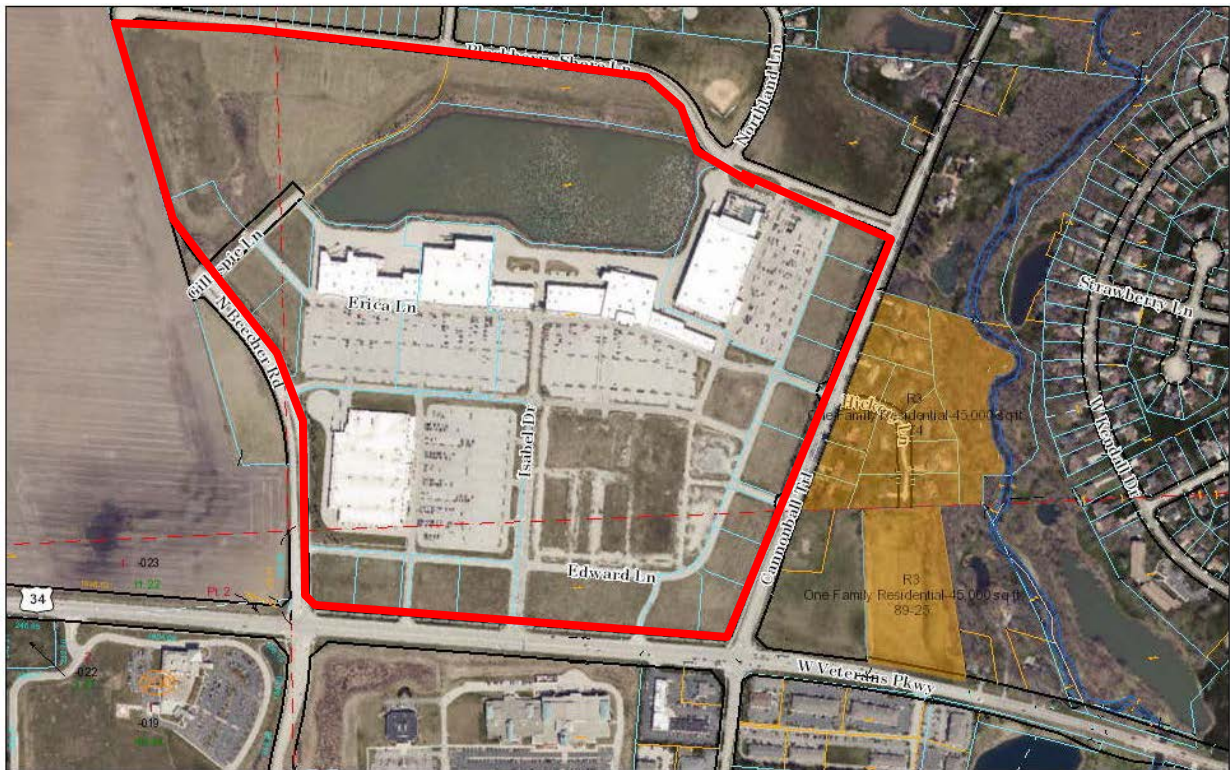


Memorandum

To: Economic Development Committee
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Jason Engberg, Senior Planner
Date: February 27, 2018
Subject: **PZC 2018-02 Kendall Marketplace PUD Amendment for Signage
731 - 795 Erica Lane**

BACKGROUND & REQUEST:

The applicant, Kendall Holdings I, LLC, is requesting an amendment to the Kendall Marketplace Planned Unit Development to permit an increase in overall sign height by five (5) feet for two (2) existing freestanding business monument signs which serve as the sole outdoor tenant signage for current and future tenants of the partially developed Kendall Marketplace commercial development.



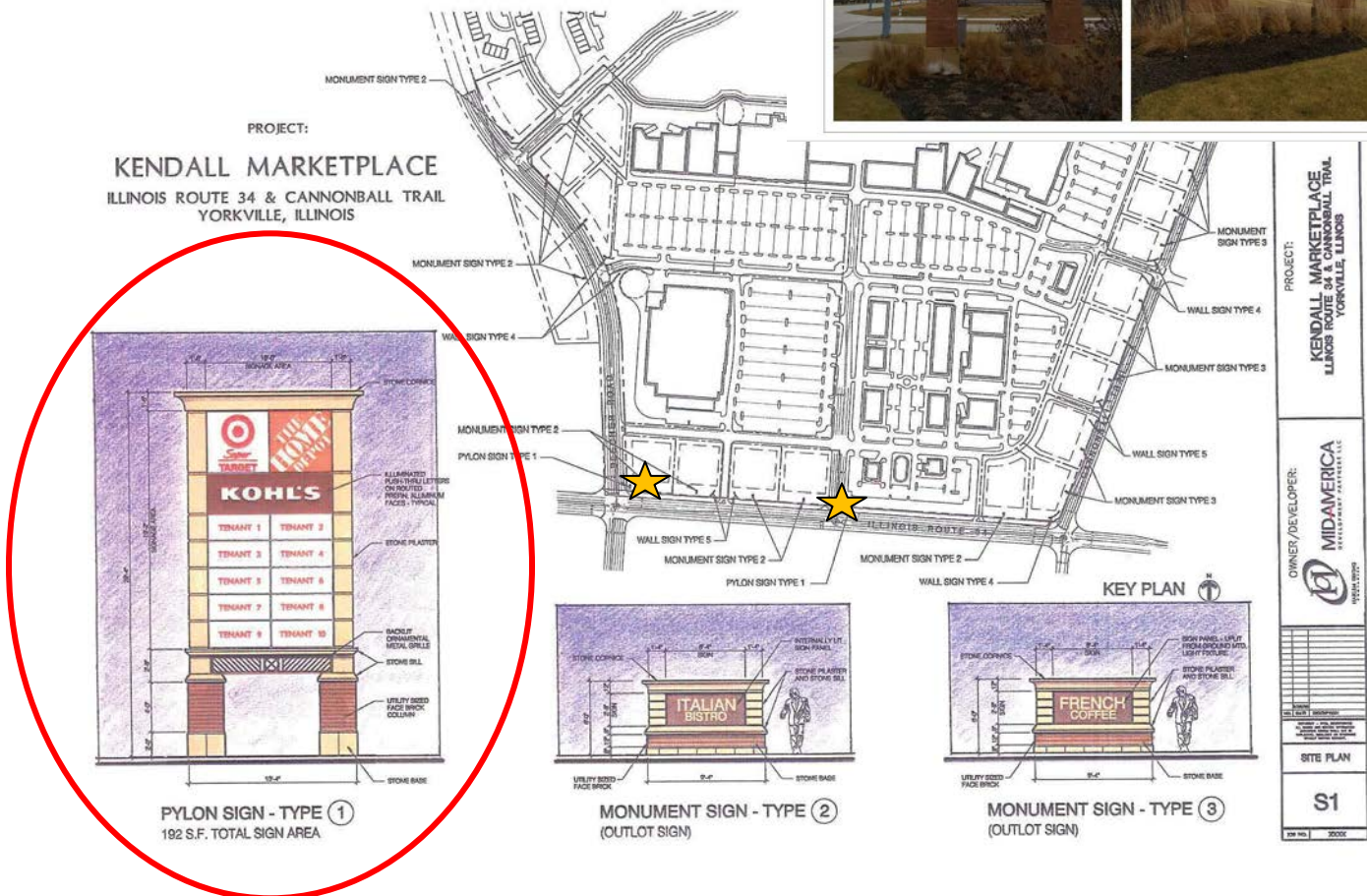
The approximately 150-acre commercial portion of the development, which has two (2) inline retail buildings with major tenant anchors, two (2) stand alone big-box retailers (Target and Home Depot) and various outlots, is a Planned Unit Development with underlining B-3 General Business District (formerly Service Business District) zoning. The Planned Unit Development (PUD) and subsequent development conditions were approved in 2006 via Ordinances 2006-88 and 2006-125 (see attached). While Ordinance 2006-88 approving development conditions for Kendall Marketplace did not address specific signage criteria, the subsequent amending Ordinance 2006-125 allowed for the for the installation of two (2) approximately 29'-4 H x 13'-0" W (192 square foot sign area) freestanding business monument signs located along US Rte 34 (Veterans Parkway) and near the intersection of Beecher Road and US Rte 34.

According to the applicant, the proposed increase in height for the two (2) existing monument signs is needed to provide increased visibility for the remaining inline retail tenant spaces in the commercial development

as these units are not immediately adjacent to a major roadway; as well as provide additional business identification along US Route 34 for the undeveloped commercial outlots.

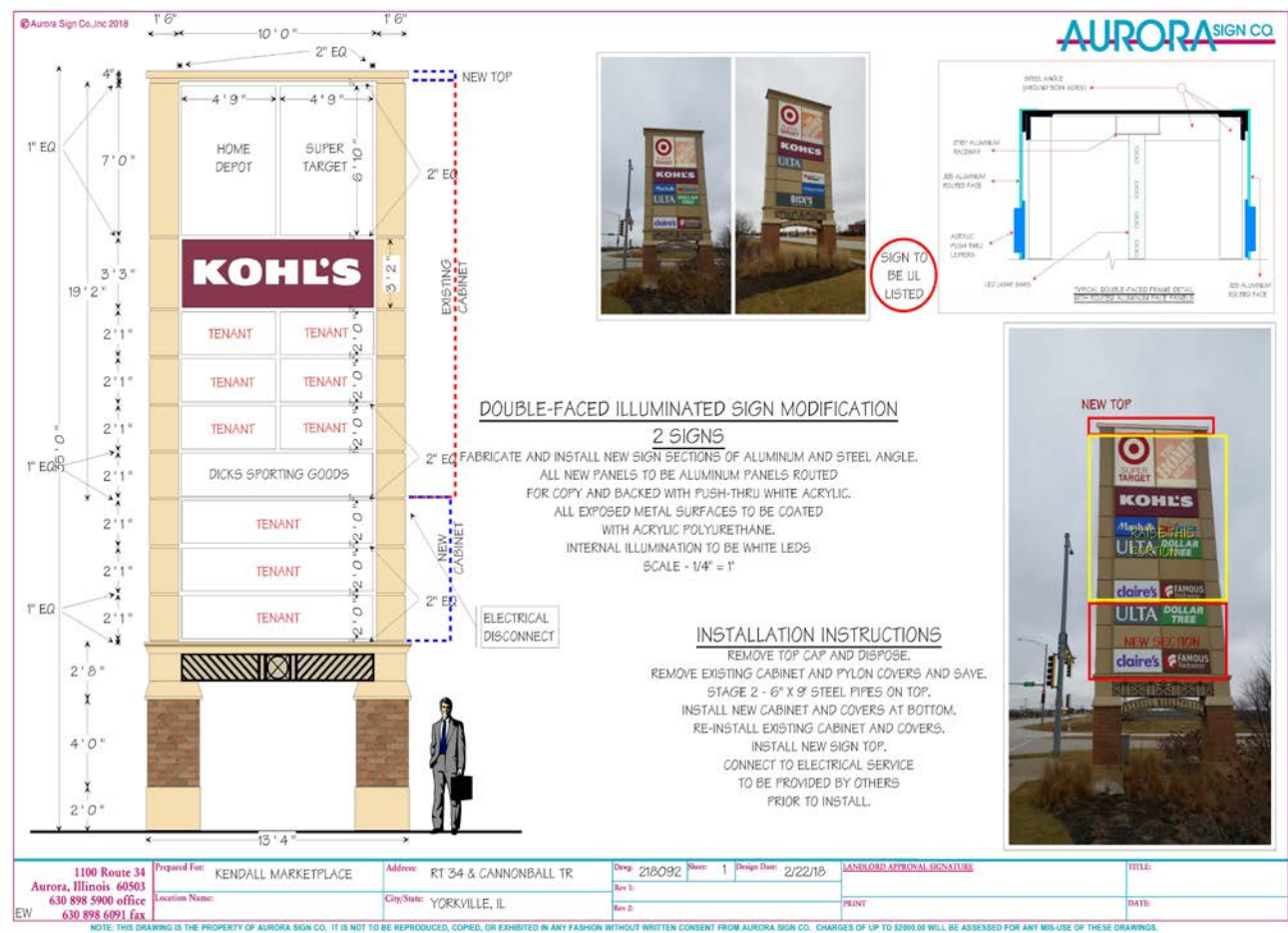
EXISTING & PROPOSED SIGNAGE:

As previously mentioned, the two (2) 29'-4" tall existing tenant monument signs are located along US Rte 34 (Veterans Parkway) and near the intersection of Beecher Road and US Rte 34, and are oriented perpendicular to the roadway (see image below). The EDC may recall, the existing sign along US 34 was recently granted a variance to allow the sign to remain in its current location, although is now within the IDOT right-of-way as a result of the ongoing roadway widening project.



The proposed reconstructed signs would increase the overall sign height to by five (5) feet to approximately 35'-0' tall by removing the existing sign cabinets, inserting new steel pipes on top and installing a new cabinet piece near the bottom of the sign base and a sign cap/top. The new cabinet piece will allow for three (3) rows of new tenant panels per sign. All new tenant panels will be fabricated of the same aluminum material of the exiting sign panels, and will be routed for copy with push-through white acrylic.

All exposed metal surfaces will be coated with acrylic polyurethane for a seamless appearance. The tenant panels will be internally illuminated with LED lighting as the existing panels. The foundation materials of the monument signs will remain. Images of the proposed modified signs are provided below.



STAFF ANALYSIS:

The intent of a Planned Unit Development (PUD) is to provide flexibility from the rigidity of the conventional zoning/bulk/signage regulations, if there is a greater benefit to the property and the City as a whole. The applicant believes there is a greater benefit to offering new/existing in-line tenants as an incentive for extending or confirming new leases and to the future tenants of the remaining undeveloped outlots in the Kendall Marketplace development, should they be permitted to increase the overall height of the (two) existing freestanding signage by five (5) feet. The addition of six (6) new tenant panels will provide needed visibility for those businesses which do not have frontage along Veterans Parkway (US Route 34).

The City has previously approved amendments to Planned Unit Developments for increases or new monument tenant signage which exceeds the maximum size and height requirement set forth in the Zoning Ordinance. The following table compares the proposed modified signs and recently approved signs with Planned Unit Development approval for commercial retail developments:

	CURRENT ZONING ORDINANCE REGULATIONS FOR MONUMENT SIGNS	HEARTLAND BUSINESS CENTER MONUMENT SIGN (2013)	KENDALL CROSSING MONUMENT SIGN (2014)	PROPOSED MODIFIED KENDALL MARKETPLACE SIGNS
SIGN AREA (Section 10-20-9-A-1)	<ul style="list-style-type: none"> • Max. 32 square feet for lots less than three (3) acres • Max. 64 square feet for lots three (3) or more acres. 	<ul style="list-style-type: none"> • Approx. 148 square feet 	<ul style="list-style-type: none"> • Approx. 472 square feet 	<ul style="list-style-type: none"> • Approx. 255 square feet
SIGN HEIGHT (Section 10-20-9-A-1)	<ul style="list-style-type: none"> • Max. 12 feet in height 	<ul style="list-style-type: none"> • 24 feet 8 inches 	<ul style="list-style-type: none"> • 31 feet 2 inches 	<ul style="list-style-type: none"> • Approx. 35 feet
YARD REQUIREMENTS (Section 10-20-6-C)	<ul style="list-style-type: none"> • Located at least 5' from any driveway and lot line. • Signs taller than thirty inches (30") shall not be located within that part of the yard or open area of a corner lot included within a triangular area twenty-five feet (25') from the point of intersection of two street right of way lines forming a corner (line-of-sight). 	<ul style="list-style-type: none"> • Located within the front yard approx. eleven feet (11') from the lot line and more than five (5) feet from a driveway or drive aisle. • Not located within a line-of-sight. 	<ul style="list-style-type: none"> • Located within a driveway median, but more than 5' from an intersection. • Not located within a line-of-sight. 	<ul style="list-style-type: none"> • Located within IDOT right-of-way and less than five (5) feet from a driveway or drive aisle and lot line. • Not located within a line-of-sight.

In staff's review of the proposed PUD amendment, consideration was given to the relationship the existing and future in-line tenants have to where the sign is located for potential visibility opportunities along US Rte 34; recently approved amended PUD agreements of increased multi-tenant monument signage for similar type commercial developments and how the proposed modified sign does not significantly deviate from the intent of the originally approved PUD.

STAFF COMMENTS:

This request will require a public hearing before the Planning and Zoning Commission at the April 11, 2018 meeting for formal recommendation. Notice of the proposed amendment will be published in the March 16, 2018 edition of the Beacon Newspaper and the applicant will be available at Tuesday night's meeting to address the Economic Development Committee (EDC) regarding this matter.



United City of Yorkville
800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

APPLICATION FOR AGREEMENT AMENDMENT

INTENT AND PURPOSE:

Annexation Agreements specify the desired zoning and other requested approvals (i.e., bulk regulations, variances, building codes, development impacts and contributions, etc.) that will affect the property and successor owners. Planned Unit Development (PUD) Agreements are unique and a complex form of zoning which differs from the conventional approval process allowing for flexibility in the design and land use of larger scale developments. Such approvals require agreements that are contractual in nature, therefore an amendment must be sought when a change, minor or substantial, in the original terms of the annexation or Planned Unit Development (PUD) Agreement occurs.

This packet explains the process to successfully submit and complete an Application to Amend an Annexation or Planned Unit Development Agreement. It includes a detailed description of the process and the actual application itself. Please type the required information in the application on your computer. The application will need to be printed and signed by the petitioner. The only item that needs to be submitted to the City from this packet is the application. The rest of the packet is to help guide you through the process unto completion.

For a complete explanation of what is legally required throughout the Amendment process, please refer to "Title 10, Chapter 4, Section 10 Amendments" of the Yorkville, Illinois City Code.

APPLICATION PROCEDURE:



STAGE 1: APPLICATION SUBMITTAL

The following must be submitted to the Community Development Department:

- One (1) original signed application with legal description.
- Three (3) 11" x 17" copies each of the exhibits, proposed drawings, location map, and site plan. Large items must be folded to fit in a 10" x 13" envelope.
- Appropriate filing fee.
- One (1) CD or portable USB drive containing one (1) electronic copy (pdf) of each of the following: signed application (complete with exhibits), proposed drawings, location map, and site plan. A Microsoft Word document with the legal description is also required.

Within one (1) week of submittal, the Community Development Department will determine if the application is complete or if additional information is needed. These materials must be submitted a minimum of forty five (45) days prior to the targeted Planning & Zoning Commission meeting. An incomplete submittal could delay the scheduling of the project.

Petitioner will be responsible for payment of recording fees and public hearing costs, including written transcripts of the public hearing and outside consultant costs (i.e. legal review, land planner, zoning coordinator, environmental, etc.). The petitioner will be required to establish a deposit account with the city to cover these fees. The Petitioner Deposit Account/Acknowledgement of Financial Responsibility form is attached to this document and must be submitted with the application.



United City of Yorkville
800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

APPLICATION FOR AGREEMENT AMENDMENT

STAGE 2: PLAN COUNCIL REVIEW

Petitioner may present the proposed amended plan to the Plan Council. The Plan Council meets on the 2nd and 4th Thursday of the month. The members of the Council include the Community Development Director, City Engineer, the Building Department Official, the Public Works Director, the Director of Parks and Recreation, a Fire Department Representative, and a Police Department Representative. Upon recommendation by the Plan Council, petitioner will move forward to the Planning & Zoning Commission hearing.

STAGE 3: ECONOMIC DEVELOPMENT COMMITTEE

Petitioner must present the proposed amendment agreement and/or plan to the Economic Development Committee. Economic Development Committee meets at 7:00 p.m. on the 1st Tuesday of each month in the Yorkville City Hall Conference Room. This session is to discuss and consider recommendations prior to full City Council considerations and provide informal feedback. The Economic Development Committee will submit its recommendation to City Council.

STAGE 4: PLANNING & ZONING COMMISSION PUBLIC HEARING (PUD ONLY)

Petitioner will attend a public hearing conducted by the Planning and Zoning Commission. The Planning and Zoning Commission meets on the 2nd Wednesday of the Month at 7:00pm. Notice will be placed in the Kendall County Record by the United City of Yorkville. The petitioner is responsible for sending certified public hearing notices to adjacent property owners within five hundred (500) feet of the subject property no less than fifteen (15) days and no more than thirty (30) days prior to the public hearing date. Twenty four (24) hours prior to the public hearing, a certified affidavit must be filed by the petitioner with the Community Development Department containing the names, addresses and permanent parcel numbers of all parties that were notified. The Certified Mailing Affidavit form is attached to this document and must be submitted prior to the scheduled Plan Commission meeting.

STAGE 5: CITY COUNCIL PUBLIC HEARING

Petitioner will attend the City Council meeting where the recommendation of the proposed amendment will be considered. The City Council meets on the 2nd and 4th Tuesdays of the month at 7:00pm. City Council will make the final approval of the amendment.

DORMANT APPLICATIONS

The Community Development Director shall determine if an application meets or fails to meet the requirements stated above. If the Director determines that the application is incomplete it will become dormant under these circumstances:

- The petitioner has been notified of such deficiencies and has not responded or provided a time line for completing the application within ninety (90) days from the time of notification.
- The petitioner has not responded in writing to a request for information or documentation from the initial planning and zoning commission review within six (6) months from the date of that request.
- The petitioner has not responded to a request for legal or engineering deposit replenishment for city incurred costs and fees within ninety (90) days from the date of the request.

If the Community Development Director has sent the required notice and the petitioner has not withdrawn their application or brought it into compliance, then the director shall terminate the application. After termination, the application shall not be reconsidered except after the filing of a completely new application.

Withdrawal or termination of an application shall not affect the petitioner's responsibility for payment of any costs and fees, or any other outstanding debt owed to the city. The balance of any funds deposited with the city that is not needed to pay for costs and fees shall be returned to the petitioner. (Ord. 2011-34, 7-26-2011)



United City of Yorkville
800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

APPLICATION FOR AGREEMENT AMENDMENT

INVOICE & WORKSHEET PETITION APPLICATION			
CONCEPT PLAN REVIEW	<input type="checkbox"/> Engineering Plan Review deposit	\$500.00	Total: \$
AMENDMENT	<input type="checkbox"/> Annexation <input type="checkbox"/> Plan <input type="checkbox"/> Plat <input checked="" type="checkbox"/> P.U.D.	\$500.00 \$500.00 \$500.00 \$500.00	Total: \$ 500
ANNEXATION	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres _____ - 5 = _____ x \$10 = _____ + \$250 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
REZONING	<input type="checkbox"/> \$200.00 + \$10 per acre for each acre over 5 acres <i>If annexing and rezoning, charge only 1 per acre fee; if rezoning to a PUD, charge PUD Development Fee - not Rezoning Fee</i> _____ - 5 = _____ x \$10 = _____ + \$200 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
SPECIAL USE	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres _____ - 5 = _____ x \$10 = _____ + \$250 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
ZONING VARIANCE	<input type="checkbox"/> \$85.00 + \$500.00 outside consultants deposit		Total: \$
PRELIMINARY PLAN FEE	<input type="checkbox"/> \$500.00		Total: \$
PUD FEE	<input type="checkbox"/> \$500.00		Total: \$
FINAL PLAT FEE	<input type="checkbox"/> \$500.00		Total: \$
ENGINEERING PLAN REVIEW DEPOSIT	<input type="checkbox"/> Less than 1 acre <input type="checkbox"/> Over 1 acre, less than 10 acres <input type="checkbox"/> Over 10 acres, less than 40 acres <input type="checkbox"/> Over 40 acres, less than 100 acres <input type="checkbox"/> Over 100 acres	\$1,000.00 \$2,500.00 \$5,000.00 \$10,000.00 \$20,000.00	Total: \$
OUTSIDE CONSULTANTS DEPOSIT	<i>Legal, land planner, zoning coordinator, environmental services</i> For Annexation, Subdivision, Rezoning, and Special Use: <input checked="" type="checkbox"/> Less than 2 acres <input type="checkbox"/> Over 2 acres, less than 10 acres <input type="checkbox"/> Over 10 acres		Total: \$ 1,000
TOTAL AMOUNT DUE:			1500.00



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800 Game Farm Road
Yorkville, Illinois, 60560
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Fax: 630-553-7575
Website: www.yorkville.il.us

APPLICATION FOR AGREEMENT AMENDMENT

DATE:	PZC NUMBER:	DEVELOPMENT NAME: Kendall Marketplace	
PETITIONER INFORMATION			
NAME: Kendall Holdings I, LLC		COMPANY: Kendall Holdings I, LLC	
MAILING ADDRESS: 700 Commerce Dr., suite 450			
CITY, STATE, ZIP: Oak Brook, IL 60523		TELEPHONE: 847-706-4996	
EMAIL: Gavin.smith@cbre.com		FAX: 630-573-7018	
PROPERTY INFORMATION			
NAME OF HOLDER OF LEGAL TITLE: Kendall Holdings I, LLC			
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN:			
PROPERTY STREET ADDRESS: 731-795 Erica Lane, Yorkville IL			
DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION: the North East corner of N. Bleacher and W. Veterans Pkwy (Rt34) and the North East corner of Isabel Dr and W. Veterans Pkwy (Rt34)			
CURRENT ZONING CLASSIFICATION: PUD - B3			
LIST ALL GOVERNMENTAL ENTITIES OR AGENCIES REQUIRED TO RECEIVE NOTICE UNDER ILLINOIS LAW:			
ZONING AND LAND USE OF SURROUNDING PROPERTIES			
NORTH: PUD - B3			
EAST: PUD - B3			
SOUTH: O - Office			
WEST: PUD - B3			
KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)			
See Exhibit A			



United City of Yorkville
800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
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APPLICATION FOR AGREEMENT AMENDMENT

PROPERTY INFORMATION

NAME OF AGREEMENT:

DATE OF RECORDING:

SUMMARIZE THE ITEMS TO BE AMENDED FROM THE EXISTING AGREEMENT:

Amendment to permitted signage to allow petitioner to increase sign height by five feet as per attached drawing to permit to serve as the outdoor off-building sign for the tenant names at Kendall Marketplace.

ATTACHMENTS

Petitioner must attach a legal description of the property to this application and title it as "Exhibit A".

Petitioner must list the names and addresses of any adjoining or contiguous landowners within five hundred (500) feet of the property that are entitled notice of application under any applicable City Ordinance or State Statute. Attach a separate list to this application and title it as "Exhibit B".

Petitioner must attach a true and correct copy of the existing agreement and title it as "Exhibit C".

Petitioner must attach amendments from the existing agreement and title it as "Exhibit D".



United City of Yorkville
800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

APPLICATION FOR AGREEMENT AMENDMENT

ATTORNEY INFORMATION

NAME: Jamie L Romick COMPANY: Mason, Wenk & Berman LLC
MAILING ADDRESS: 630 Dundee Rd. Suite 220
CITY, STATE, ZIP: Northbrook, IL 60062 TELEPHONE: 847-656-6099
EMAIL: JRomick@mwblawfirm.com FAX: 847-656-6099

ENGINEER INFORMATION

NAME: N/A COMPANY:
MAILING ADDRESS:
CITY, STATE, ZIP: TELEPHONE:
EMAIL: FAX:

LAND PLANNER/SURVEYOR INFORMATION

NAME: N/A COMPANY:
MAILING ADDRESS:
CITY, STATE, ZIP: TELEPHONE:
EMAIL: FAX:

AGREEMENT

I VERIFY THAT ALL THE INFORMATION IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND AND ACCEPT ALL REQUIREMENTS AND FEES AS OUTLINED AS WELL AS ANY INCURRED ADMINISTRATIVE AND PLANNING CONSULTANT FEES WHICH MUST BE CURRENT BEFORE THIS PROJECT CAN PROCEED TO THE NEXT SCHEDULED COMMITTEE MEETING.

I UNDERSTAND ALL OF THE INFORMATION PRESENTED IN THIS DOCUMENT AND UNDERSTAND THAT IF AN APPLICATION BECOMES DORMANT IT IS THROUGH MY OWN FAULT AND I MUST THEREFORE FOLLOW THE REQUIREMENTS OUTLINED ABOVE.

PETITIONER SIGNATURE

FEB 21, 2018

DATE

OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.

OWNER SIGNATURE

FEB. 21, 2018

DATE

KENDALL Holdings I, LLC



United City of Yorkville
800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

PETITIONER DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NUMBER:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS:
APPLICATION/APPROVAL TYPE (check appropriate box(es) of approval requested):		
<input type="checkbox"/> CONCEPT PLAN REVIEW	<input checked="" type="checkbox"/> AMENDMENT (TEXT)	<input type="checkbox"/> ANNEXATION
<input type="checkbox"/> SPECIAL USE	<input type="checkbox"/> MILE AND 1/2 REVIEW	<input type="checkbox"/> ZONING VARIANCE
<input type="checkbox"/> FINAL PLANS	<input type="checkbox"/> PLANNED UNIT DEVELOPMENT	<input type="checkbox"/> FINAL PLAT
<input type="checkbox"/> REZONING		
<input type="checkbox"/> PRELIMINARY PLAN		
PETITIONER DEPOSIT ACCOUNT FUND: It is the policy of the United City of Yorkville to require any petitioner seeking approval on a project or entitlement request to establish a Petitioner Deposit Account Fund to cover all actual expenses occurred as a result of processing such applications and requests. Typical requests requiring the establishment of a Petitioner Deposit Account Fund include, but are not limited to, plan review of development approvals/engineering permits. Deposit account funds may also be used to cover costs for services related to legal fees, engineering and other plan reviews, processing of other governmental applications, recording fees and other outside coordination and consulting fees. Each fund account is established with an initial deposit based upon the estimated cost for services provided in the INVOICE & WORKSHEET PETITION APPLICATION . This initial deposit is drawn against to pay for these services related to the project or request. Periodically throughout the project review/approval process, the Financially Responsible Party will receive an invoice reflecting the charges made against the account. At any time the balance of the fund account fall below ten percent (10%) of the original deposit amount, the Financially Responsible Party will receive an invoice requesting additional funds equal to one-hundred percent (100%) of the initial deposit if subsequent reviews/fees related to the project are required. In the event that a deposit account is not immediately replenished, review by the administrative staff, consultants, boards and commissions may be suspended until the account is fully replenished. If additional funds remain in the deposit account at the completion of the project, the city will refund the balance to the Financially Responsible Party. A written request must be submitted by the Financially Responsible Party to the city by the 15th of the month in order for the refund check to be processed and distributed by the 15th of the following month. All refund checks will be made payable to the Financially Responsible Party and mailed to the address provided when the account was established.		
ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY		
NAME: Alexander Berman	COMPANY: Kendell Holdings I, LLC	
MAILING ADDRESS: 707 Skokie Blvd, Suite 600		
CITY, STATE, ZIP: Northbrook, IL 60062	TELEPHONE: 312-915-0690	
EMAIL: ABerman@gwdglobal.com	FAX:	
FINANCIALLY RESPONSIBLE PARTY: I acknowledge and understand that as the Financially Responsible Party, expenses may exceed the estimated initial deposit and, when requested by the United City of Yorkville, I will provide additional funds to maintain the required account balance. Further, the sale or other disposition of the property does not relieve the individual or Company/ Corporation of their obligation to maintain a positive balance in the fund account, unless the United City of Yorkville approves a Change of Responsible Party and transfer of funds. Should the account go into deficit, all City work may stop until the requested replenishment deposit is received.		
Alexander Berman	President	
PRINT NAME	TITLE	
	Feb. 21, 2018	
SIGNATURE	DATE	
ACCOUNT CLOSURE AUTHORIZATION		
DATE REQUESTED:	<input type="checkbox"/> COMPLETED	<input type="checkbox"/> INACTIVE
PRINT NAME: Alexander Berman	<input type="checkbox"/> WITHDRAWN	<input type="checkbox"/> COLLECTIONS
SIGNATURE:	<input type="checkbox"/> OTHER	
DEPARTMENT ROUTING FOR AUTHORIZATION:	<input type="checkbox"/> COM. DEV.	<input type="checkbox"/> BUILDING
	<input type="checkbox"/> ENGINEERING	<input type="checkbox"/> FINANCE
	<input type="checkbox"/> ADMIN.	

EXHIBIT A TO APPLICATION FOR PUD AMENDMENT

LEGAL DESCRIPTION OF PROPERTY:

LOTS 1-19, 21, 55 AND 57 IN KENDALL MARKETPLACE SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTIONS 19, 20 AND 29, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED MAY 7, 2007 AS DOCUMENT NUMBER 200700014779 IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

Tax PINS:

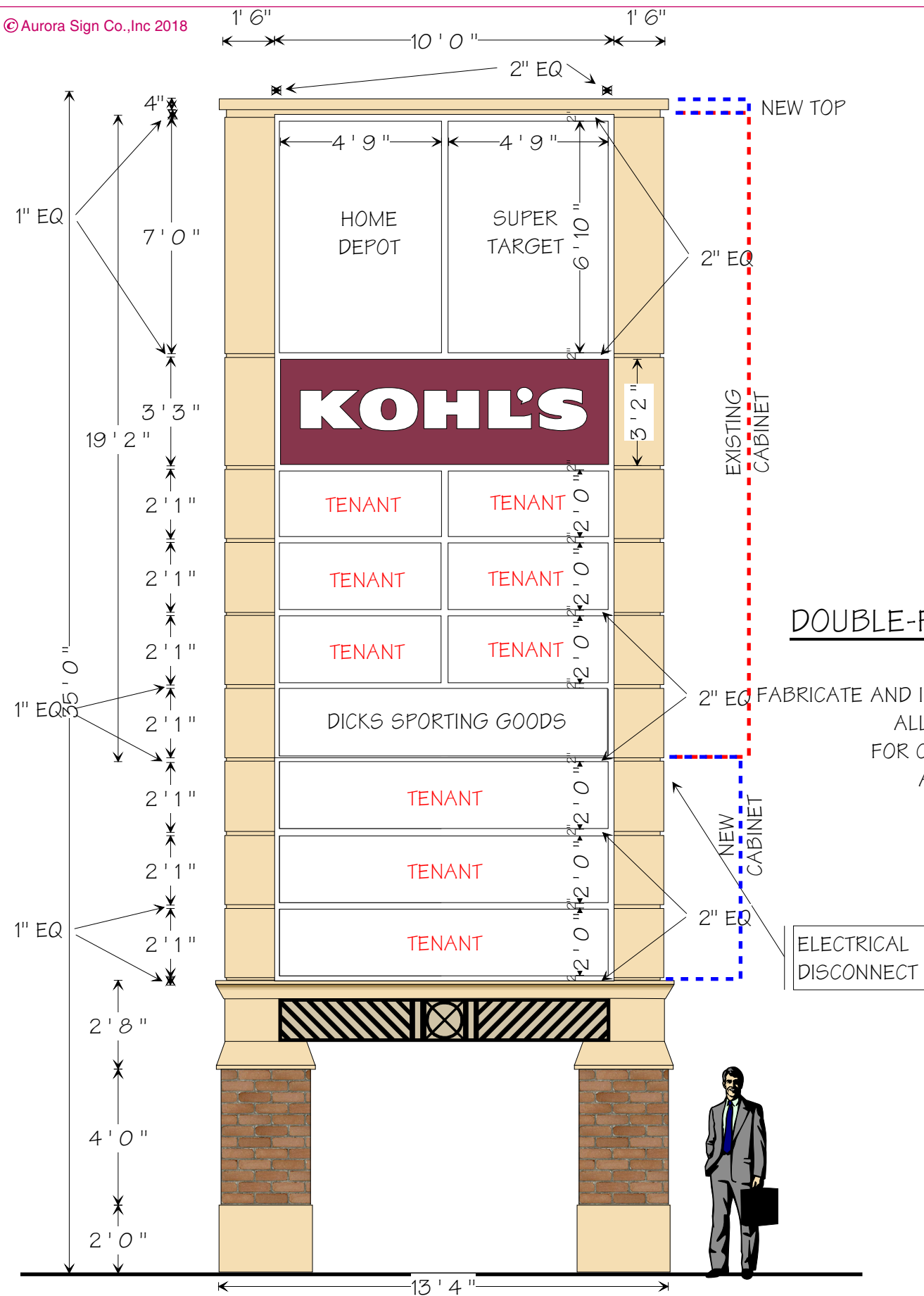
PINs: 02-20-353-008 (Part of Lot 1); 02-29-131-005 (Part of Lot 1); 02-29-101-001 (Lot 2); 02-29-101-002 (Lot 3); 02-29-101-003 (Lot 4); 02-29-101-004 (Lot 5); 02-29-131-001 (Lot 6); 02-29-131-002 (Lot 7); 02-29-131-003 (Lot 8); 02-29-131-004 (Part of Lot 9); 02-20-381-008 (Part of Lot 9); 02-20-381-007 (Lot 10); 02-20-381-006 (Lot 11); 02-20-381-005 (Lot 12); 02-20-381-004 (Lot 13); 02-20-381-003 (Lot 14); 02-20-381-002 (Lot 15); 02-19-481-002 (Lot 16); 02-20-353-004 (Part of Lot 17); 02-19-482-001 (Part of Lot 17); 02-19-482-003 (Part of Lot 18); 02-20-353-005 (Part of Lot 18); 02-19-482-002 (Part of Lot 19); 02-20-353-003 (Part of Lot 19); 02-19-483-001 (Lot 21); 02-19-482-004 (Part of Lot 55); 02-20-353-006 (Part of Lot 55); 02-20-353-002 (Lot 57)



SIGN TO
BE UL
LISTED

ABRICATE AND INSTALL NEW SIGN SECTIONS OF ALUMINUM AND STEEL ANGLE.
ALL NEW PANELS TO BE ALUMINUM PANELS ROUTED
FOR COPY AND BACKED WITH PUSH-THRU WHITE ACRYLIC.
ALL EXPOSED METAL SURFACES TO BE COATED
WITH ACRYLIC POLYURETHANE.
INTERNAL ILLUMINATION TO BE WHITE LEDS
SCALE - 1/4" = 1'

REMOVE TOP CAP AND DISPOSE.
REMOVE EXISTING CABINET AND PYLON COVERS AND SAVE.
STAGE 2 - 6" X 9' STEEL PIPES ON TOP.
INSTALL NEW CABINET AND COVERS AT BOTTOM.
RE-INSTALL EXISTING CABINET AND COVERS.
INSTALL NEW SIGN TOP.
CONNECT TO ELECTRICAL SERVICE
TO BE PROVIDED BY OTHERS
PRIOR TO INSTALL.



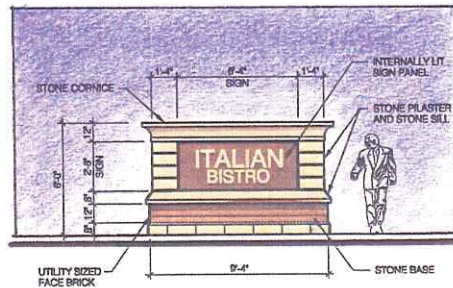
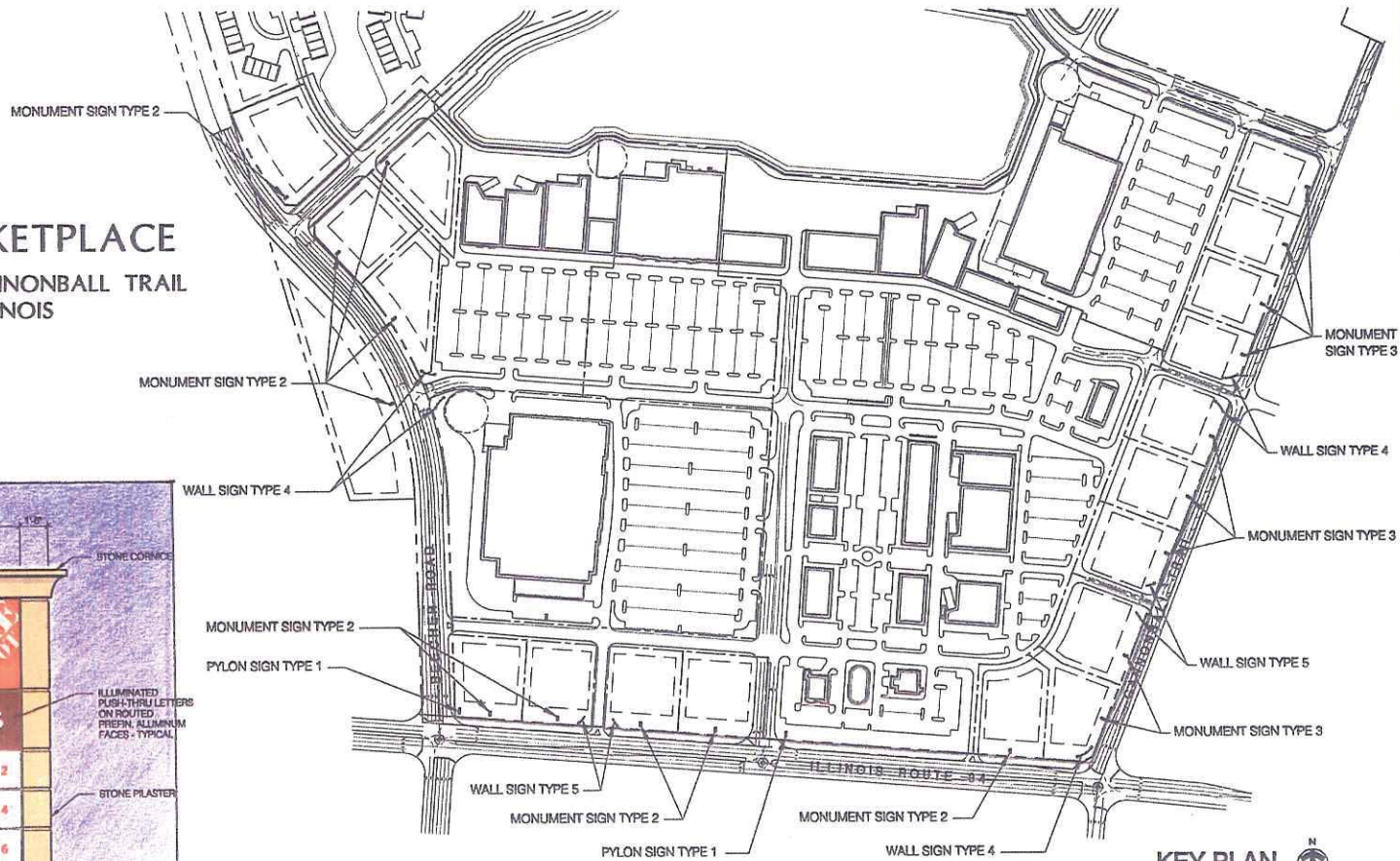
<div> <div>1100 Route 34</div> <div>Aurora, Illinois 60503</div> <div>630 898 5900 office</div> <div>630 898 6091 fax</div> </div> <div>EW</div>	Prepared For: KENDALL MARKETPLACE	Address: RT 34 & CANNONBALL TR	Drwg: 218092	Sheet: 1	Design Date: 2/22/18	<u>LANDLORD APPROVAL SIGNATURE</u>	TITLE:
	Location Name:	City/State: YORKVILLE, IL	Rev 1:				
			Rev 2:			PRINT	DATE:

NOTE: THIS DRAWING IS THE PROPERTY OF AURORA SIGN CO. IT IS NOT TO BE REPRODUCED, COPIED, OR EXHIBITED IN ANY FASHION WITHOUT WRITTEN CONSENT FROM AURORA SIGN CO. CHARGES OF UP TO \$2000.00 WILL BE ASSESSED FOR ANY MIS-USE OF THESE DRAWINGS.

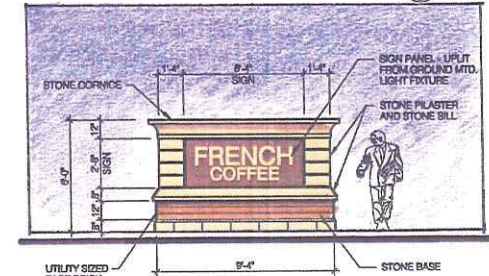
PROJECT:
KENDALL MARKETPLACE
ILLINOIS ROUTE 34 & CANNONBALL TRAIL
YORKVILLE, ILLINOIS



PYLON SIGN - TYPE ①
192 S.F. TOTAL SIGN AREA



MONUMENT SIGN - TYPE ②
(OUTLOT SIGN)



MONUMENT SIGN - TYPE ③
(OUTLOT SIGN)

PFDA
ARCHITECTS INC.

39 N. WACKER DRIVE
SUITE 200
CHICAGO, ILLINOIS 60601
TEL: 312.786.1000
FAX: 312.786.1001

PROJECT:
KENDALL MARKETPLACE
ILLINOIS ROUTE 34 & CANNONBALL TRAIL
YORKVILLE, ILLINOIS

OWNER/DEVELOPER:

MIDAMERICA
DEVELOPMENT PARTNERS LLC
11111 N. WACKER DRIVE
SUITE 200
CHICAGO, ILLINOIS 60601
TEL: 312.786.1000
FAX: 312.786.1001

NO.	DATE	DESCRIPTION
1	01/11/2011	ISSUED FOR PERMITTING
2	01/11/2011	REVISION: AS NOTED
3	01/11/2011	REVISION: AS NOTED
4	01/11/2011	REVISION: AS NOTED
5	01/11/2011	REVISION: AS NOTED
6	01/11/2011	REVISION: AS NOTED
7	01/11/2011	REVISION: AS NOTED
8	01/11/2011	REVISION: AS NOTED
9	01/11/2011	REVISION: AS NOTED
10	01/11/2011	REVISION: AS NOTED

SITE PLAN

S1

JOB NO. 10000

PUBLIC NOTICE
NOTICE OF PUBLIC HEARING
BEFORE
THE UNITED CITY OF YORKVILLE
PLANNING & ZONING COMMISSION
PZC 2018-02

NOTICE IS HEREWITH GIVEN THAT Kendall Holdings I, LLC, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting amendment to the Kendall Marketplace Planned Unit Development to permit an increase in overall sign height by five (5) feet for two (2) existing freestanding business monument signs for the purpose of added tenant panels in the Kendall Marketplace commercial development. The real property is located at 731-795 Erica Lane in Yorkville, Illinois.

The legal description is as follows:

LOTS 1-19, 21, 55 AND 57 IN KENDALL MARKETPLACE SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTIONS 19, 20 AND 29, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED MAY 7, 2007 AS DOCUMENT NUMBER 200700014779 IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

PINs: 02-20-353-008 (Part of Lot 1); 02-29-131-005 (Part of Lot 1); 02-29-101-001 (Lot 2); 02-29-101-002 (Lot 3); 02-29-101 -003 (Lot 4); 02-29-101-004 (Lot 5); 02-29-131-001 (Lot 6); 02-29-131-002 (Lot 7); 02-29-131-003 (Lot 8); 02-29-131-004 (Part of Lot 9); 02-20-381-008 (Part of Lot 9); 02-20-381-007 (Lot 10); 02-20-381-006 (Lot 11); 02-20-381 -005 (Lot 12); 02-20-381-004 (Lot 13); 02-20-381-003 (Lot 14); 02-20-381 -002 (Lot 15); 02-19-481 -002 (Lot 16); 02-20-353-004 (Part of Lot 17); 02- 19-482-001 (Part of Lot 17); 02-19-482-003 (Part of Lot 18); 02-20-353-005 (Part of Lot 18); 02-19-482-002 (Part of Lot 19); 02-20-353-003 (Part of Lot 19); 02- 19-483-001 (Lot 21); 02-19-482-004 (Part of Lot 55); 02-20-353-006 (Part of Lot 55); 02-20-353-002 (Lot 57)

NOTICE IS HEREWITH GIVEN THAT the Planning and Zoning Commission for the United City of Yorkville will conduct a public hearing on said application on Wednesday, April 11, 2018 at 7 p.m. at the United City of Yorkville, City Council Chambers, located at 800 Game Farm Road, Yorkville, Illinois 60560.

The public hearing may be continued from time to time to dates certain without further notice being published.

Application and information materials regarding this notice are available for public review and any questions or written comments should be addressed to the United City of Yorkville Community Development Department, City Hall, 800 Game Farm Road, Yorkville, Illinois. All interested parties are invited to attend the public hearing and will be given an opportunity to be heard.

By order of the Corporate Authorities of the United City of Yorkville, Kendall County,
Illinois.

BETH WARREN
City Clerk

BY: Lisa Pickering
Deputy Clerk



Reviewed By:	
Legal	<input checked="" type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input checked="" type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

New Business #6

Tracking Number

EDC 2018-28

Agenda Item Summary Memo

Title: Kendall Marketplace PUD Amendment for Residential Lots

Meeting and Date: Economic Development Committee - April 3, 2018

Synopsis: Requested Planned Unit Development Amendment to revise the architectural standards for single family residential units in Kendall Marketplace.

Council Action Previously Taken:

Date of Action: 10/24/2006 Action Taken: Approval of Ord. 2006-125

Item Number:

Type of Vote Required: Majority

Council Action Requested: Approval

Submitted by: Krysti Barksdale – Noble, AICP Community Development
Name Department

Agenda Item Notes:

See attached memo.



Memorandum

To: Economic Development Committee
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Jason Engberg, Senior Planner
Date: March 22, 2018
Subject: **PZC 2018-05 Kendall Marketplace PUD Amendment for Residential Lots
Lots 24 -51 along Blackberry Shore Lane**

BACKGROUND & REQUEST:

The applicant, McCue Builders, Inc., is requesting an amendment to the Kendall Marketplace Planned Unit Development (PUD) to permit a revision to Article III of the agreement regarding design standards for the new construction of single-family residential units within the currently platted, but undeveloped, portion of the property.

The single-family residential portion of the development consists of 28 parcels on nearly 9-acres of land. The Planned Unit Development (PUD) and subsequent development conditions for the residential portion was approved in 2006 via Ordinance 2006-125 (see attached).

Per this ordinance, special provisions for design standards were established for the single-family detached residential units which are as follows:

1. Masonry products shall be incorporated on the front façade of 75% of the total units.
2. A minimum of 75% of the front façade of each building shall incorporate masonry products. A 10% reduction of the required masonry area will be given for each major architectural feature on the front façade.
3. A minimum of 50% of each building elevation shall incorporate premium siding material.
4. Primary structures shall be constructed upon either a basement or foundation – “slab” construction shall not be used.

According to the applicant, the current material and design standards for the exterior of the residential units is cost prohibitive and not keeping with the price point offered or warranted for the development.

EXISTING & PROPOSED DESIGN STANDARDS:

On June 14, 2005, the United City of Yorkville approved Ordinance No. 2005-51 which adopted an Appearance Code as part of the Building Regulations (*see attached*). Among the objectives of the Appearance Code is to foster sound and harmonious design of new buildings and sites, establish standards for new



construction and development and encourage creative non-monotonous community designs utilizing design professionals.

Per this ordinance, the provisions of the Appearance Code is applicable to residential, commercial and industrial land uses seeking building permit approval for new construction, or building permit approval for additions to existing commercial or industrial buildings where the cumulative addition(s) are equal to 10% of the area or 200 sq. ft., whichever is greater.

The City's Appearance Code does not apply to industrial accessory structures (although these structures should complement the main structure), buildings where siding is being replaced with similar siding material, or any Planned Unit Development (PUD) already approved prior to the adoption of the ordinance unless so stipulated in the PUD.

While the Appearance Code does provide specific criteria for both residential and non-residential uses, the regulations are very general in nature and relate mostly to anti-monotony standards (i.e., no two dwelling units with similar appearance shall be located adjacent to or across the street from each other) with regard to single family detached units and site planning and building design elements for single-family attached and multiple family dwelling units. Non-residential uses (commercial and industrial) Appearance Code standards focus on the relationship of buildings to the site, relationship of the site to the adjoining area and building design.

Subsequent to the approval of the Appearance Code in 2005, the United City of Yorkville adopted new Comprehensive Plan Design Guidelines on May 26, 2009 (*see attached*). Unlike the Appearance Code Ordinance, the Design Guidelines were not codified as part of the Municipal Code and therefore, are advisory only.

These guidelines are intended to “*maintain the unique character and acknowledge the heritage of Yorkville*” by establishing principles related to overall planning, site planning, landscaping and community character. Again, the applicability of these guidelines are limited to all new developments constructed *after* its adoption and does not apply to lots which have buildings constructed upon them prior to its adoption with the exception of properties substantially redeveloped, rezoned to which a special use is being requested. Substantial redevelopment consists of any construction activity that will result in a greater than 25% increase to the existing square footage or the addition of twelve (12) or more parking spaces.

Staff has routinely referenced both documents in our review of applicable developments, with the most recent being the Kendall Crossing, Anthony Place Senior Apartments and Cedarhurst Living developments. Since most of the residential planned developments were approved through annexation agreements with ordinance and fee locks associated, staff has deferred to those documents during compliance reviews.

Although the Kendall Marketplace PUD was approved after the adoption of the Appearance Code and would be subject to its standards, it was approved prior to the adoption of Design Guidelines and is not subject to those more specific aesthetic criteria. However, the PUD provided specific design provisions which were in addition to those required in the Appearance Code.

The following page has a comparison chart of the existing Kendall Marketplace PUD design standards for single-family detached residential units, current Appearance Code standards and the applicant's proposed amendments:

<i>EXISTING KMP PUD DESIGN STANDARDS</i>	<i>CURRENT APPEARANCE CODE DESIGN STANDARDS</i>	<i>PROPOSED NEW DESIGN STANDARDS</i>
Masonry Products on 75% of the total units Minimum of 75% of the front façade of each building to incorporate masonry products. (10% reduction of the required masonry area will be given for each major architectural feature on front façade) Minimum of 50% of each building elevation to incorporate premium siding material. Primary structure shall be constructed upon either a basement or foundation – “slab” construction shall not be used.	<p>No residential dwellings shall be similar in appearance unless two (2) or more buildings of dissimilar design separate the buildings.</p> <p>A newly constructed residential building shall be dissimilar in appearance to another residential building across the street from, or adjacent to the newly constructed building.</p> <p>A residential dwelling on a corner lot is not considered similar to one adjacent to it if the two (2) dwellings face different streets.</p> <p>On cul-de-sacs not more than two (2) dwellings shall be similar in appearance on any lots having front lot lines contributing to the arc of the cul-de-sac.</p>	<p>All homes shall have some type of covered porch on the front elevation.</p> <p>All homes shall have a 2-car garage with raised panel garage doors.</p> <p>All front elevation windows shall have grilles in the windows.</p> <p>All homes shall have architectural shingles.</p> <p>At least 75% of the homes shall have at least a 7/12 pitch on the main roof.</p> <p>At least 75% of the homes shall have at least a 10/12 pitch on the front gables</p> <p>At least 75 % of the homes shall have at least 25% brick or stone on the first floor elevation on the walls that run parallel to the street.</p> <p>Homes that do not have any brick or stone on the front elevation shall be required to have the following:</p> <ul style="list-style-type: none"> -All windows on the front elevation shall have shutters or be wrapped with 4” trim -Windows in the upper panel of the garage door -Some type of Shake siding or Batten Board siding on front elevation.

STAFF ANALYSIS:

The intent of a Planned Unit Development (PUD) is to provide flexibility from the rigidity of the conventional regulations of the code while offering a greater benefit to the property and the City as a whole. The development’s existing standards, while specific to mainly building material, did not necessarily enhance architectural interest or encourage creative non-monotonous community design. Additionally, the current Appearance Code, which would be the default design standards if the PUD had not required the added provisions, solely focuses on similarities in dwelling appearances.

However, the proposed new design standards proposed by the applicant requires at least three (3) architectural features on the front elevation of all homes (covered porches, grilles on windows and raised panel garage doors) in addition to higher grade roof shingles and steeper pitched roof slopes. For those homes with front elevations without masonry products, the applicant proposes window details, garage door features and premium siding materials. It is staff’s opinion that the proposed amended design elements for this development are more substantial than for newly constructed homes in other residential subdivisions approved under the current Appearance Code standards.

For your consideration, below are sample elevations of four (4) models of homes the applicant has planned for the Kendall Marketplace development:



STAFF COMMENTS:

This request will require a public hearing before the Planning and Zoning Commission at the April 11, 2018 meeting for formal recommendation. Notice of the proposed amendment will be published in the March 16, 2018 edition of the Beacon Newspaper and the applicant will be available at Tuesday night's meeting to address the Economic Development Committee (EDC) regarding this matter.



United City of Yorkville
800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

APPLICATION FOR AGREEMENT AMENDMENT

INVOICE & WORKSHEET PETITION APPLICATION			
CONCEPT PLAN REVIEW	<input type="checkbox"/> Engineering Plan Review deposit	\$500.00	Total: \$
AMENDMENT	<input type="checkbox"/> Annexation <input type="checkbox"/> Plan <input type="checkbox"/> Plat <input checked="" type="checkbox"/> P.U.D.	\$500.00 \$500.00 \$500.00 \$500.00	Total: \$ 500.00
ANNEXATION	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres # of Acres - 5 = Acres over 5 x \$10 = Amount for Extra Acres + \$250 = Total Amount		Total: \$
REZONING	<input type="checkbox"/> \$200.00 + \$10 per acre for each acre over 5 acres <i>If annexing and rezoning, charge only 1 per acre fee; if rezoning to a PUD, charge PUD Development Fee - not Rezoning Fee</i> # of Acres - 5 = Acres over 5 x \$10 = Amount for Extra Acres + \$200 = Total Amount		Total: \$
SPECIAL USE	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres # of Acres - 5 = Acres over 5 x \$10 = Amount for Extra Acres + \$250 = Total Amount		Total: \$
ZONING VARIANCE	<input type="checkbox"/> \$85.00 + \$500.00 outside consultants deposit		Total: \$
PRELIMINARY PLAN FEE	<input type="checkbox"/> \$500.00		Total: \$
PUD FEE	<input type="checkbox"/> \$500.00		Total: \$
FINAL PLAT FEE	<input type="checkbox"/> \$500.00		Total: \$
ENGINEERING PLAN REVIEW DEPOSIT	<input type="checkbox"/> Less than 1 acre <input type="checkbox"/> Over 1 acre, less than 10 acres <input type="checkbox"/> Over 10 acres, less than 40 acres <input type="checkbox"/> Over 40 acres, less than 100 acres <input type="checkbox"/> Over 100 acres	\$1,000.00 \$2,500.00 \$5,000.00 \$10,000.00 \$20,000.00	Total: \$
OUTSIDE CONSULTANTS DEPOSIT	<i>Legal, land planner, zoning coordinator, environmental services</i> For Annexation, Subdivision, Rezoning, and Special Use: <input checked="" type="checkbox"/> Less than 2 acres <input type="checkbox"/> Over 2 acres, less than 10 acres <input type="checkbox"/> Over 10 acres		Total: \$ 1,000.00
TOTAL AMOUNT DUE:			\$ 1,500.00



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APPLICATION FOR AGREEMENT AMENDMENT

DATE:	PZC NUMBER:	DEVELOPMENT NAME: <i>KENDALL MARKET PLACE</i>
PETITIONER INFORMATION		
NAME: <i>BILL McCUE</i>	COMPANY: <i>McCUE BUILDERS, INC.</i>	
MAILING ADDRESS: <i>PO BOX 354</i>		
CITY, STATE, ZIP: <i>BRISTOL, IL 60512</i>	TELEPHONE: <i>630/551-4845</i>	
EMAIL: <i>McCUEBUILDERS@COMCAST.NET</i>	FAX: <i>630/551-4950</i>	
PROPERTY INFORMATION		
NAME OF HOLDER OF LEGAL TITLE: <i>McCUE BUILDERS, INC.</i>		
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN:		
PROPERTY STREET ADDRESS: <i>BLACKBERRY SHORE LANE - SINGLE FAMILY LOTS</i>		
DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION:		
CURRENT ZONING CLASSIFICATION: <i>SINGLE FAMILY RESIDENTIAL</i>		
LIST ALL GOVERNMENTAL ENTITIES OR AGENCIES REQUIRED TO RECEIVE NOTICE UNDER ILLINOIS LAW:		
ZONING AND LAND USE OF SURROUNDING PROPERTIES		
NORTH: <i>RESIDENTIAL</i>		
EAST: <i>COMMERCIAL</i>		
SOUTH: <i>MULTI-FAMILY</i>		
WEST: <i>VACANT</i>		
KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)		



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Yorkville, Illinois, 60560
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APPLICATION FOR AGREEMENT AMENDMENT

PROPERTY INFORMATION

NAME OF AGREEMENT:

DATE OF RECORDING:

SUMMARIZE THE ITEMS TO BE AMENDED FROM THE EXISTING AGREEMENT:

McCue Builders, or subsequent builders, would like to have Article III, regarding Design Standards, to be amended as follows:

- All homes shall have some type of covered porch on the front elevation
- All homes shall have a 2 car garage with raised panel garage doors
- All front elevation window shall have grilles in the windows
- All homes shall have architectural shingles
- At least 75% of the homes shall have at least a 7/12 pitch on the main roof
- At least 75% of the homes shall have at least a 10/12 pitch on the front gables
- At least 75% of the homes shall have at least 25% brick or stone on the first floor elevation on the walls that run parallel to the street.

Homes that do not have any brick or stone on the front elevation shall be required to have the following:

- All windows on front elevation shall have shutters or be wrapped with 4" trim
- Windows in the upper panel of the garage door
- Some type of Shake siding or Batten Board siding on front elevation

ATTACHMENTS

Petitioner must attach a legal description of the property to this application and title it as "Exhibit A".

Petitioner must list the names and addresses of any adjoining or contiguous landowners within five hundred (500) feet of the property that are entitled notice of application under any applicable City Ordinance or State Statute. Attach a separate list to this application and title it as "Exhibit B".

Petitioner must attach a true and correct copy of the existing agreement and title it as "Exhibit C".

Petitioner must attach amendments from the existing agreement and title it as "Exhibit D".



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Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

APPLICATION FOR AGREEMENT AMENDMENT

ATTORNEY INFORMATION

NAME:

COMPANY:

MAILING ADDRESS:

CITY, STATE, ZIP:

TELEPHONE:

EMAIL:

FAX:

ENGINEER INFORMATION

NAME:

COMPANY:

MAILING ADDRESS:

CITY, STATE, ZIP:

TELEPHONE:

EMAIL:

FAX:

LAND PLANNER/SURVEYOR INFORMATION

NAME:

COMPANY:

MAILING ADDRESS:

CITY, STATE, ZIP:

TELEPHONE:

EMAIL:

FAX:

AGREEMENT

I VERIFY THAT ALL THE INFORMATION IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND AND ACCEPT ALL REQUIREMENTS AND FEES AS OUTLINED AS WELL AS ANY INCURRED ADMINISTRATIVE AND PLANNING CONSULTANT FEES WHICH MUST BE CURRENT BEFORE THIS PROJECT CAN PROCEED TO THE NEXT SCHEDULED COMMITTEE MEETING.

I UNDERSTAND ALL OF THE INFORMATION PRESENTED IN THIS DOCUMENT AND UNDERSTAND THAT IF AN APPLICATION BECOMES DORMANT IT IS THROUGH MY OWN FAULT AND I MUST THEREFORE FOLLOW THE REQUIREMENTS OUTLINED ABOVE.

William R. McCue

PETITIONER SIGNATURE

2/27/18

DATE

OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.

William R. McCue

OWNER SIGNATURE

2/27/18

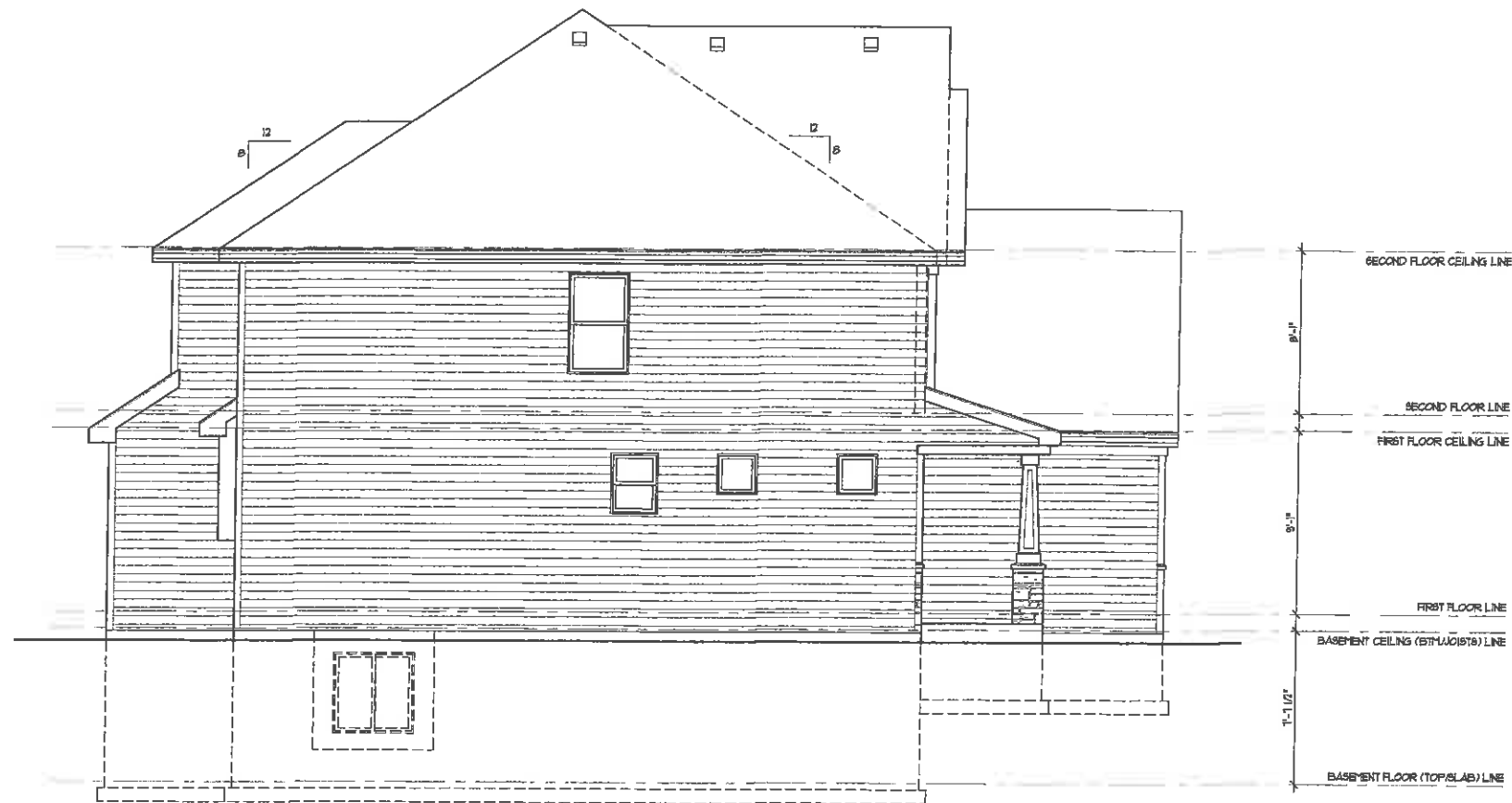
DATE



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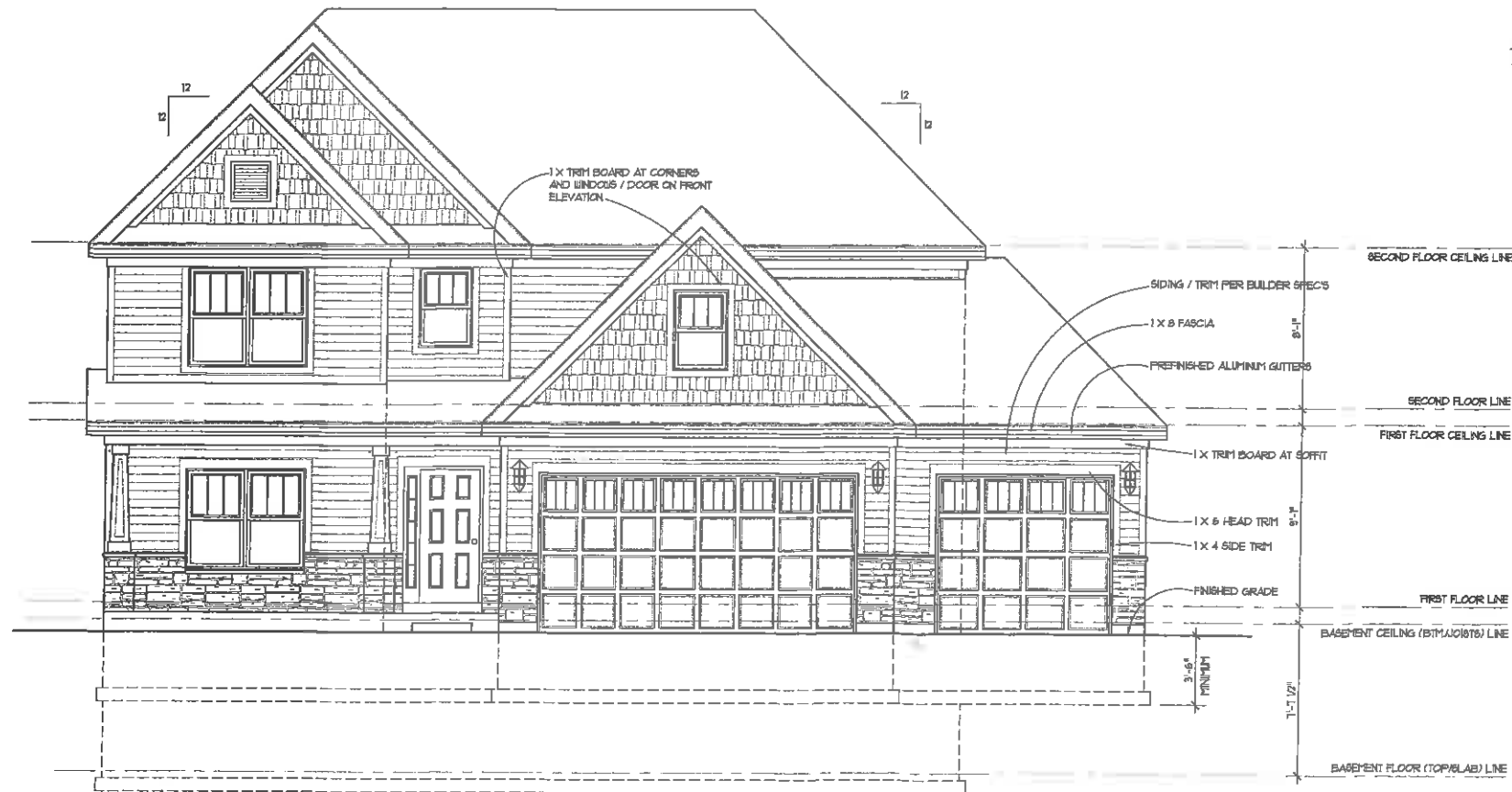
PETITIONER DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NUMBER:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS: <i>RENDALL MARKET PLACE</i>
APPLICATION/APPROVAL TYPE (check appropriate box(es) of approval requested):		
<input type="checkbox"/> CONCEPT PLAN REVIEW	<input type="checkbox"/> AMENDMENT (TEXT)	<input type="checkbox"/> ANNEXATION
<input type="checkbox"/> SPECIAL USE	<input type="checkbox"/> MILE AND 1/2 REVIEW	<input type="checkbox"/> ZONING VARIANCE
<input type="checkbox"/> FINAL PLANS	<input checked="" type="checkbox"/> PLANNED UNIT DEVELOPMENT	<input type="checkbox"/> FINAL PLAT
<input type="checkbox"/> REZONING		
<input type="checkbox"/> PRELIMINARY PLAN		
PETITIONER DEPOSIT ACCOUNT FUND: It is the policy of the United City of Yorkville to require any petitioner seeking approval on a project or entitlement request to establish a Petitioner Deposit Account Fund to cover all actual expenses occurred as a result of processing such applications and requests. Typical requests requiring the establishment of a Petitioner Deposit Account Fund include, but are not limited to, plan review of development approvals/engineering permits. Deposit account funds may also be used to cover costs for services related to legal fees, engineering and other plan reviews, processing of other governmental applications, recording fees and other outside coordination and consulting fees. Each fund account is established with an initial deposit based upon the estimated cost for services provided in the INVOICE & WORKSHEET PETITION APPLICATION . This initial deposit is drawn against to pay for these services related to the project or request. Periodically throughout the project review/approval process, the Financially Responsible Party will receive an invoice reflecting the charges made against the account. At any time the balance of the fund account fall below ten percent (10%) of the original deposit amount, the Financially Responsible Party will receive an invoice requesting additional funds equal to one-hundred percent (100%) of the initial deposit if subsequent reviews/fees related to the project are required. In the event that a deposit account is not immediately replenished, review by the administrative staff, consultants, boards and commissions may be suspended until the account is fully replenished. If additional funds remain in the deposit account at the completion of the project, the city will refund the balance to the Financially Responsible Party. A written request must be submitted by the Financially Responsible Party to the city by the 15th of the month in order for the refund check to be processed and distributed by the 15th of the following month. All refund checks will be made payable to the Financially Responsible Party and mailed to the address provided when the account was established.		
ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY		
NAME: <i>BILL McCUE</i>	COMPANY: <i>McCUE BUILDERS, INC</i>	
MAILING ADDRESS: <i>PO BOX 354</i>		
CITY, STATE, ZIP: <i>BRISTOL, FL 60512</i>	TELEPHONE: <i>630/551-4845</i>	
EMAIL: <i>McCUEBUILDERS@COMCAST.NET</i>	FAX: <i>630/551-4950</i>	
FINANCIALLY RESPONSIBLE PARTY: I acknowledge and understand that as the Financially Responsible Party, expenses may exceed the estimated initial deposit and, when requested by the United City of Yorkville, I will provide additional funds to maintain the required account balance. Further, the sale or other disposition of the property does not relieve the individual or Company/ Corporation of their obligation to maintain a positive balance in the fund account, unless the United City of Yorkville approves a Change of Responsible Party and transfer of funds. Should the account go into deficit, all City work may stop until the requested replenishment deposit is received.		
<i>William R. McCue</i> PRINT NAME	<i>PRESIDENT / OWNER</i> TITLE	
<i>William R. McCue</i> SIGNATURE	<i>2/27/18</i> DATE	
ACCOUNT CLOSURE AUTHORIZATION		
DATE REQUESTED: _____	<input type="checkbox"/> COMPLETED	<input type="checkbox"/> INACTIVE
PRINT NAME: _____	<input type="checkbox"/> WITHDRAWN	<input type="checkbox"/> COLLECTIONS
SIGNATURE: _____	<input type="checkbox"/> OTHER	
DEPARTMENT ROUTING FOR AUTHORIZATION:	<input type="checkbox"/> COM. DEV.	<input type="checkbox"/> BUILDING
	<input type="checkbox"/> ENGINEERING	<input type="checkbox"/> FINANCE
	<input type="checkbox"/> ADMIN.	



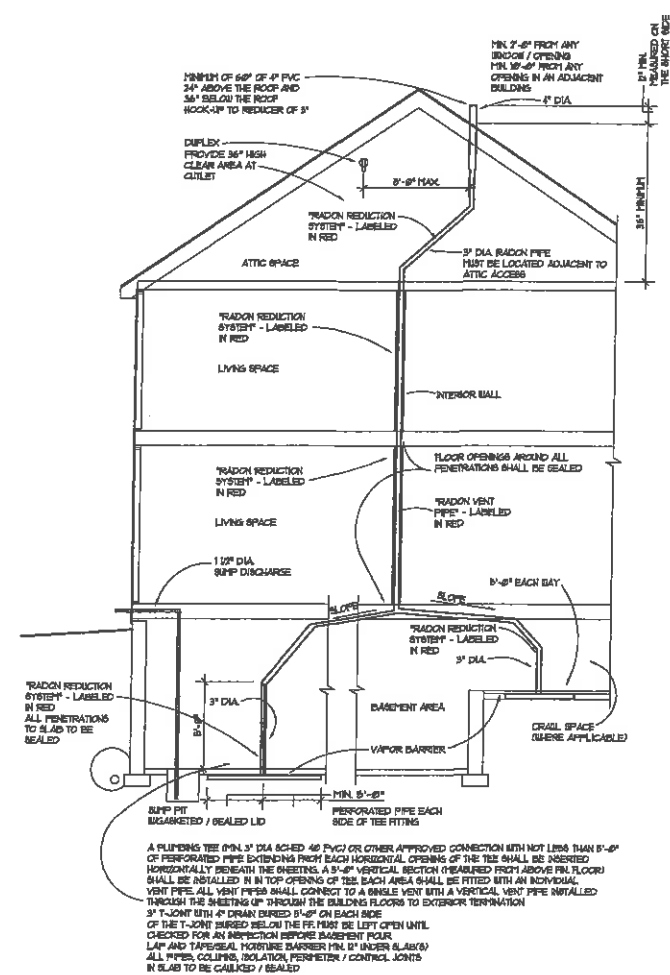
LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



FRONT ELEVATION

SCALE: 1/4" = 1'-0"



RADON SUB-SLAB DE-PRESSURIZATION (RSD) SYSTEM

SCALE: NOT TO SCALE

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REVISIONS	BY
PERMIT SET	JAC

McCue Builders
General Contractor
Custom Homes • Additions
Bill McCue
(630) 553-1259

DESIGN HOUSE
ARCHITECTURAL SERVICES



James A. Childress
William L. Hutchings

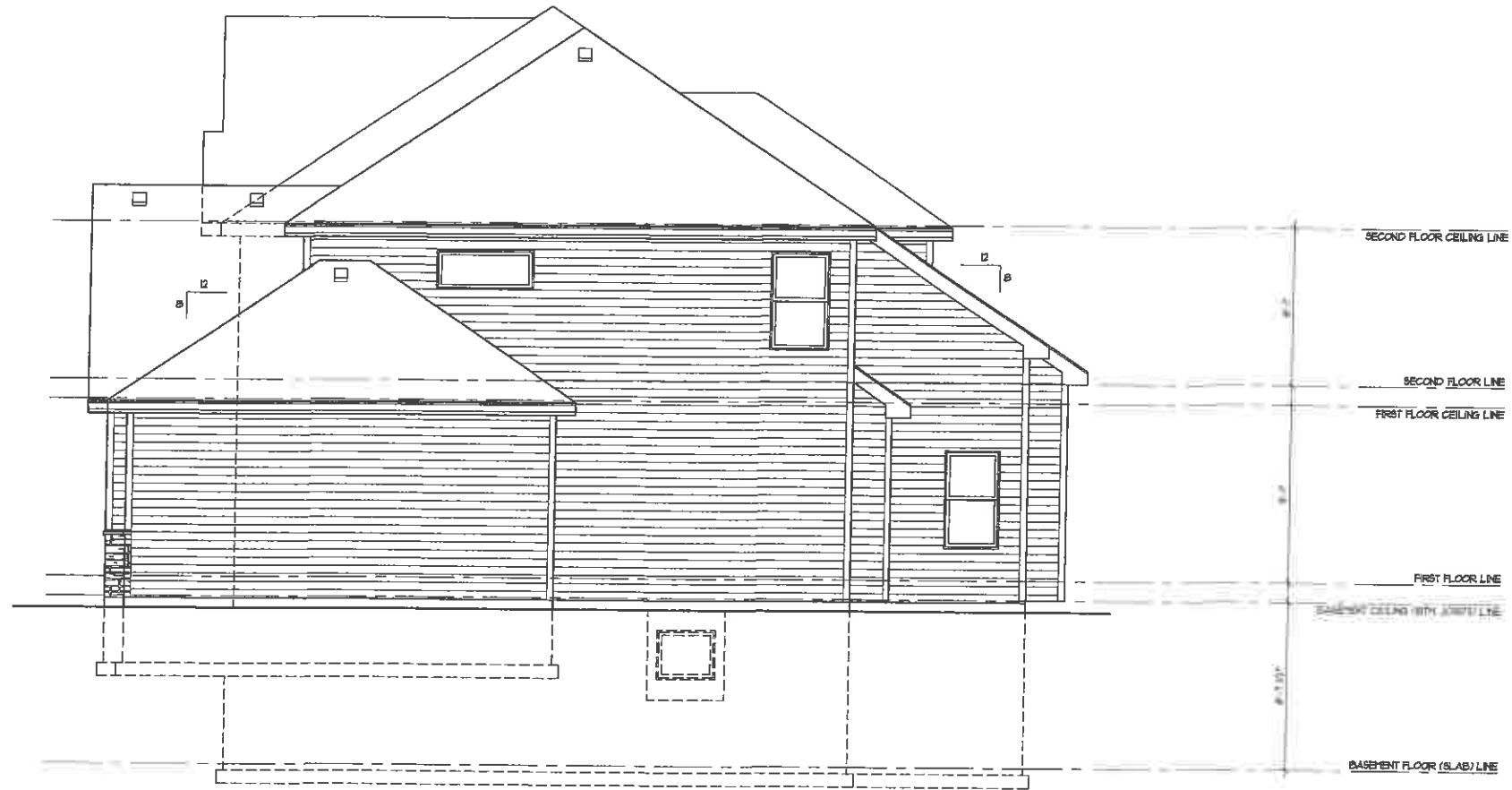
An Illinois Licensed
Professional Design Firm
4582 Garrison St., Unit F
Yorkville, Illinois 60550
phone 630 . 385 . 2497
fax 630 . 385 . 2867
mobile 630 . 399 . 3094
email: DE@DHS@aol.com
PDF License No. 184006933

THE "CODY"
EXTERIOR ELEVATIONS

NEW SINGLE FAMILY RESIDENCE
LOT 47, KENDALL MARKETPLACE
YORKVILLE, ILLINOIS

DATE: 12/12/17
SCALE: AS NOTED
DRAWN BY: JAC
PROJECT NO: 171212

SHEET
AI
OF 1 SHEETS



LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

DESIGN CRITERIA

FLOOR	40° LL 10° DL ALL AREAS EXCEPT SLEEPING
FLOOR	30° LL 10° DL SLEEPING AREAS
WALL	60° PLF OR ACTUAL LOAD
CEILING	20° LL 10° DL
ROOF	30° LL 10° DL ROOF SLOPES OVER 3 IN 12
CATHEDRAL	30° LL 15° DL ALL SLOPES
EXT. DECK	40° LL 10° DL
BALCONY	60° LL 10° DL EXTERIOR

STRUCTURAL FRAMING LUMBER

ALL 2 X 4 TO 2 X 6 STUDS, FLOOR & CEILING JOISTS, HEADERS AND RAFTERS UP TO 10'-0" GRADE HEM-FIR #2, BASE PD = 850, "E" = (1.3) I, 3000/000
 ALL 2 X 10 & 2 X 12 FLOOR JOISTS, CEILING JOISTS, HEADERS AND RAFTERS UP TO 10'-0" GRADE HEM-FIR #2 (DOMESTIC), BASE PD = 850, "E" = (1.3)
 ALL FLOOR JOISTS, CEILING JOISTS, HEADERS AND RAFTERS 22'-0" AND LONGER GRADE DOUGLAS FIR-LARCH #2, BASE PD = 875 "E" = (1.6) I, 6000/000
 ALL FRAMING LUMBER NOT NOTED AS "DOMESTIC" IS CANADIAN IN ORIGIN, ALL DESIGN VALUES AND ALLOWABLE SPANS ARE FROM CANADIAN WOOD COUNCIL U.S. SPAN BOOK FOR MAJOR LUMBER SPECIES, CANADIAN AND U.S. SPECIES GROUP 2002 EDITION, AS PUBLISHED BY THE CANADIAN WOOD COUNCIL

LAMINATED STRUCTURAL WOOD BEAMS

AS MANUFACTURED BY "WEYERHAEUSER" - "TRUS JOIST MICROLAM" LVL 1 SE SIZE AS NOTED ON PLANS
 BASE PD VALUE = 2600 (VERIFY IF MANUFACTURED) "E" = 1.5 X 10° PSI

APPROVED ALTERNATE

VERSA-LAM 2300 PD 0° (AS MANUFACTURED BY BOISE CASCADE) SIZE AS NOTED ON PLANS
 BASE PD VALUE = 2300 (VERIFY IF MANUFACTURED) "E" = 2.0 X 10° PSI

GENERAL NOTE

IN EACH BEDROOM, AT LEAST ONE EGRESS (ESCAPE) WINDOW SHALL HAVE A MINIMUM CLEAR OPENABLE AREA OF 5.7 SQ. FT. AND A MINIMUM CLEAR HEIGHT OF 2'-0" AND A MINIMUM CLEAR WIDTH OF 1'-0". THE REQUIRED WINDOW SHALL NOT BE MORE THAN 40" ABOVE THE FINISHED FLOOR EXCEPTION: GRADE FLOOR WINDOWS MAY HAVE A MINIMUM NET CLEAR OPENING OF 5.0 SQ. FT.

DESIGN HOUSE ARCHITECTURAL SERVICES
 ILLINOIS LICENSED PROFESSIONAL DESIGN FIRM
 IDPH # 184.005933 / EXPIRES 04/30/2015

THIS IS TO CERTIFY THAT THESE PLANS AND/OR REPORTS WERE PREPARED UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY KNOWLEDGE CONFORM TO THE BUILDING CODE OF THE VILLAGE OF OSWEGO, ILLINOIS

REVISIONS	BY
PERMIT SET	JAC

McCue Builders
 General Contractor
 Custom Homes- Additions

Bill McCue
 (630) 553-1258

DESIGN HOUSE
 ARCHITECTURAL SERVICES

James A. Childress
 William L. Hutchings

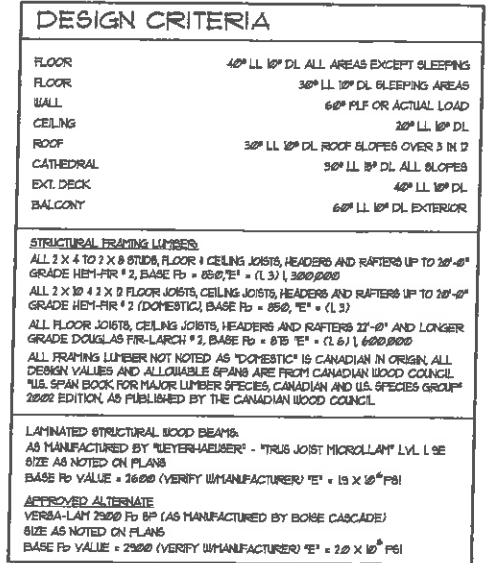
An Illinois Licensed
 Professional Design Firm
 4562 Gamble St., Unit F
 Yorkville, Illinois 60560
 phone 630. 385. 2482
 fax 630. 385. 2867
 mobile 630. 399. 3094
 email: DESIGNH@att.com
 PDF License No. 184005933

EXTERIOR ELEVATIONS

NEW SINGLE FAMILY RESIDENCE
 LOT 14, AUTUMN GATE @ SOUTHBURY
 OSWEGO, ILLINOIS

DATE:	9/4/14
SCALE:	AS NOTED
DRAWN BY:	JAC
PROJECT NO:	140823
SHEET	AI
OF	1 SHEETS

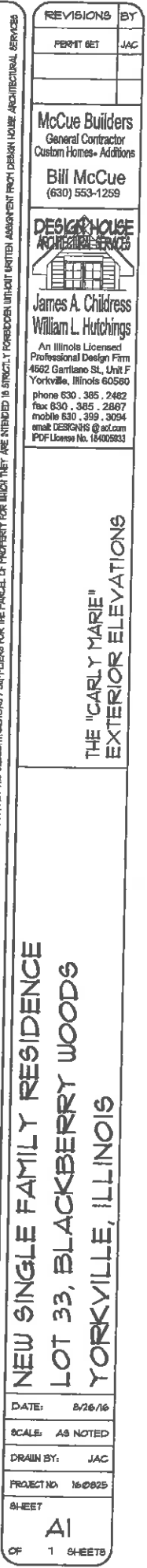
*LICENSE EXPIRES 11/30/2014



GENERAL NOTE:

IN EACH BEDROOM, AT LEAST ONE EGRESS (ESCAPE) WINDOW SHALL HAVE A MINIMUM CLEAR, OPENABLE AREA OF 5.7 SQ. FT. AND A MINIMUM CLEAR HEIGHT OF 2'-0" AND A MINIMUM CLEAR WIDTH OF 7'-0". THE REQUIRED WINDOW SHALL NOT BE MORE THAN 46" ABOVE THE FINISHED FLOOR.

EXISTING GRADE FLOOR WINDOWS MAY HAVE A MINIMUM NET CLEAR OPENING OF 5.0 SQ. FT.



GENERAL NOTES

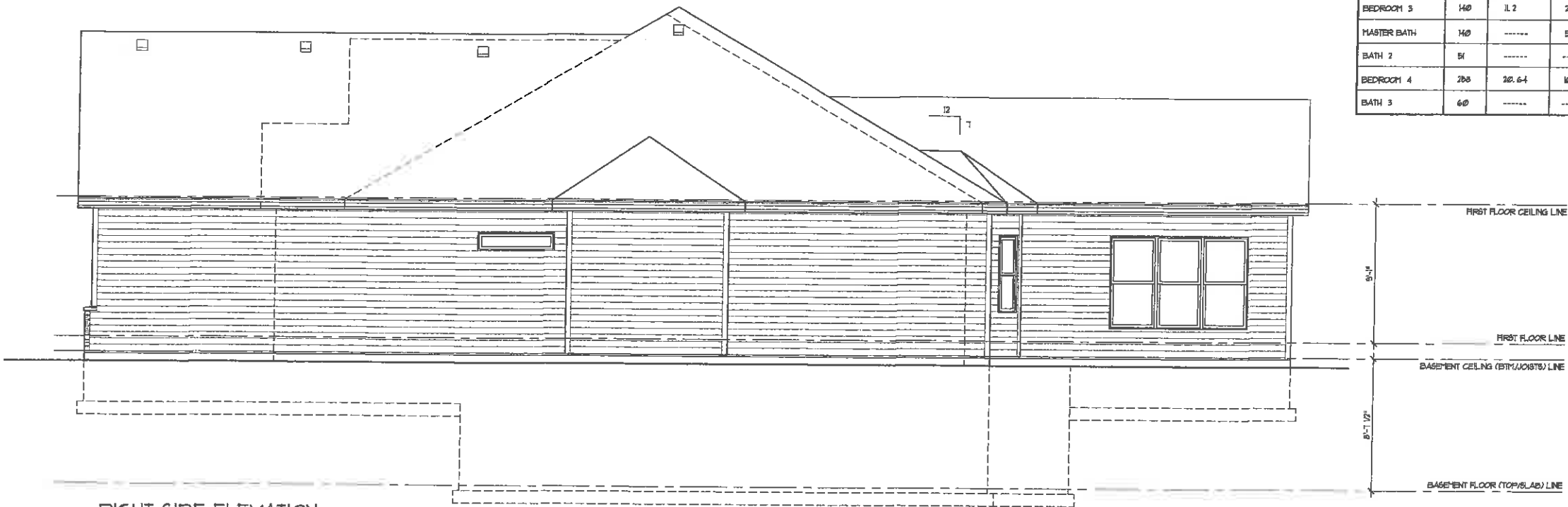
1. VERIFY ALL DIMENSIONS IN FIELD PRIOR TO COMMENCING ANY WORK
2. ALL FOUNDATION WALLS SHALL BE POURED CONCRETE WITH A MINIMUM 3000 LB. 28 DAY STRENGTH
3. ALL BEAMS, HORIZONTALS AND RAFTERS SHALL BE NO. 2 OR BETTER CONSTRUCTION GRADE HEM FIR OR BETTER
4. ALL DIMENSIONS ARE FOR ROUGH FRAMING, WALLS ARE DIMENSIONED 3 1/2" UNO.
5. ALL MATERIALS AND WORKMANSHIP SHALL CONFORM TO APPLICABLE CODES AND PRACTICES
6. (2) 1 X 12 HEADER IS TYPICAL FOR ALL DOOR/WINDOW OPENINGS UNLESS NOTED OTHERWISE
7. ALL WINDOW AND DOOR GLAZING TO CONFORM TO R308 OF THE 2006 IRC CODE AS REQUIRED.
8. SMOKE DETECTORS WITH BATTERY BACKUP SHALL BE HARDWIRED FOR SIMULTANEOUS ACTUATION AND INTERCONNECTED TO OTHER FLOORS
9. ALL ELECTRICAL INSTALLATION SHALL BE PER THE 2009 NATIONAL ELECTRIC CODE (NEC).
10. ALL PLUMBING TO MEET STATE OF ILLINOIS PLUMBING CODE TEST REQUIREMENTS
- ALL WORK SHALL CONFORM TO THE FOLLOWING ADOPTED CODES OF THE VILLAGE OF OSWEGO, ILLINOIS
- 2009 INTERNATIONAL RESIDENTIAL CODE (IIRC) AMENDMENTS
2006 NATIONAL ELECTRIC CODE (NEC) AMENDMENTS
2004 STATE OF ILLINOIS PLUMBING CODE AMENDMENTS
2009 INTERNATIONAL PLUMBING CODE AMENDMENTS
2006 ENERGY CONSERVATION CODE AMENDMENTS

11. PROVIDE REQUIRED FIREBLOCKING TO CUT OFF ALL CONCEALED DRAFT OPENINGS (VERTICAL/HORIZONTAL) BETWEEN STOREYS AND BETWEEN TOP STORY AND ROOF SPACE IN ACCORDANCE WITH IRC R602.3 AND R602.5
- IN CONCEALED SPACES OF STUD WALLS AND PARTITIONS, INCLUDING FURRED SPACES, AT THE CEILING AND FLOOR LEVEL AND AT 10'-0" INTERVALS BOTH VERTICALLY / HORIZONTALLY
- AT ALL CONNECTIONS BETWEEN CONCEALED VERTICAL AND HORIZONTAL SPACES SUCH AS SOFFITS, DROP CEILINGS AND COVE CEILINGS
- IN CONCEALED SPACES BETWEEN STAIR STRINGERS AT THE TOP AND BOTTOM OF EACH RUN, ENCLOSED SPACES UNDER STAIRS SHALL COMPLY WITH SECTION R314.8
- AT THE OPENINGS AROUND VENTS, PIPES, DUCTS AT CEILINGS AND FLOOR LEVELS, WITH AN APPROVED MATERIAL TO RESIST PASSAGE OF FLAME AND PRODUCTS OF COMBUSTION

12. ALL TREATED LUMBER IN CONTACT WITH CONCRETE FOUNDATION WALLS, BOTH HORIZONTALLY (SILL PLATES) AND VERTICALLY (STUDS) SHALL BE SET IN SEALER
13. ALL EXTERIOR FRAMED CORNERS SHALL BE FULLY INSULATED
14. PROVIDE 1/4" MIN. "T-PLY" THERMAL BARRIER AT TUB / SHOWER ENCLOSURES ON EXTERIOR WALLS
15. PROVIDE A "HRV" HEAT RECOVERY SYSTEM INTEGRAL WITH THE HVAC SYSTEM

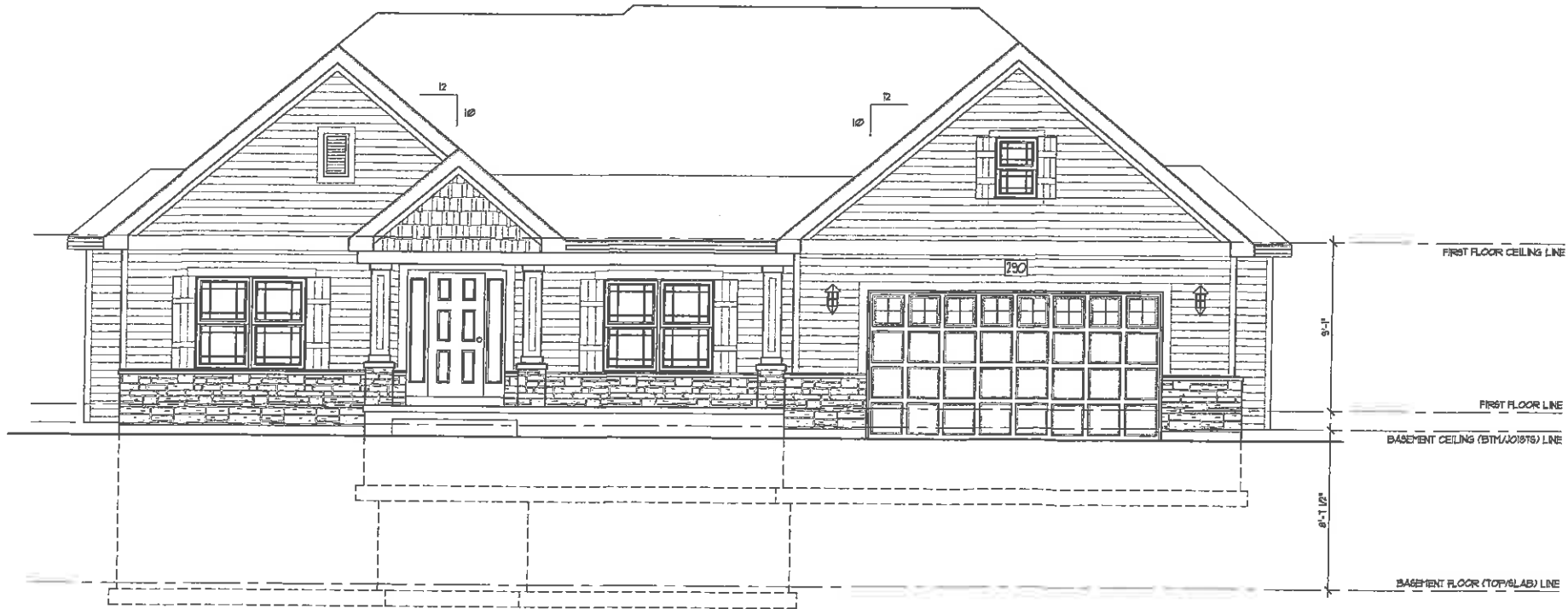
LIGHT & VENT SCHEDULE

ROOM	AREA (SQ. FT.)	LIGHT - 68		VENT - 48	
		CODE	ACTUAL	CODE	ACTUAL
KITCHEN/BREAKFAST	342	21.36	34.72	19.68	20.4
FAMILY ROOM	271	22.16	32.28	11.08	18.54
DINING ROOM	150	12.0	34.72	6.0	14.36
LAUNDRY	48	-----	-----	30 CFM	30 CFM
MASTER BEDROOM	284	22.72	34.72	1.36	20.4
BEDROOM 2	173	10.32	24.96	5.16	14.26
BEDROOM 3	140	11.2	21.52	5.6	12.36
MASTER BATH	140	-----	5.21	30 CFM	30 CFM
BATH 2	51	-----	-----	30 CFM	30 CFM
BEDROOM 4	208	20.64	10.28	10.32	5.75
BATH 3	60	-----	-----	15 CFM	15 CFM



RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

DESIGN HOUSE ARCHITECTURAL SERVICES
ILLINOIS LICENSED PROFESSIONAL DESIGN FIRM
IDPH # 184.005933 / EXPIRES 04/30/2019
THIS IS TO CERTIFY THAT THESE PLANS AND/OR REPORTS WERE
PREPARED UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY KNOWLEDGE
CONFORM TO THE BUILDING CODE OF THE VILLAGE OF OSWEGO, ILLINOIS

William L. Hutchings
Professional Design Firm
Seal of the Illinois State Board of Design
Professional Design Firm
Seal of the Illinois State Board of Design

LICENSE EXPIRES 11/30/2016

REVISIONS	BY
PERMIT SET	JAC
McCue Builders General Contractor Custom Homes • Additions Bill McCue (630) 553-1259	
DESIGN HOUSE ARCHITECTURAL SERVICES James A. Childress William L. Hutchings An Illinois Licensed Professional Design Firm 4552 Carleton St., Unit F Yorkville, Illinois 60560 phone 630 . 385 . 2482 fax 630 . 385 . 2867 mobile 630 . 399 . 3094 email: DCS78HS@aol.com IDPH License No. 184005933	
THE "BARBARA II" EXTERIOR ELEVATIONS	
NEW SINGLE FAMILY RESIDENCE LOT 290, HUNT CLUB EAST OSWEGO, ILLINOIS	
DATE: 5/16/17	
SCALE: AS NOTED	
DRAWN BY: JAC	
PROJECT NO: 170501	
SHEET	
AI	
OF 1 SHEETS	

STATE OF ILLINOIS)
) ss
COUNTY OF KENDALL)

200700002839
Filed for Record in
KENDALL COUNTY, ILLINOIS
PAUL ANDERSON
01-24-2007 At 11:47 am.
ORDINANCE 71.00
RHSP Surcharge 10.00

ORDINANCE NO. 2006- 125

**AN ORDINANCE AUTHORIZING THE EXECUTION
OF AN AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR
KENDALL MARKETPLACE**

WHEREAS, it is prudent and in the best interest of the UNITED CITY OF YORKVILLE, Kendall County, Illinois, to enter into a certain amended and restated Development Agreement for Kendall Marketplace (Attached hereto and made a part hereof as "Exhibit "A") pertaining to certain real estate described in the Agreement; and

WHEREAS, a draft of the restated and amended Development Agreement has been considered by the City Council; and


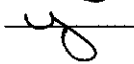
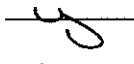

WHEREAS, the legal owners of record of the territory which is the subject of said Development Agreement are ready, willing and able to enter into said Development Agreement and to perform the obligations as required hereunder; and

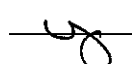
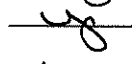
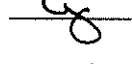

WHEREAS, the procedures for the execution of said Development Agreement have been fully complied with; and

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, AS FOLLOWS;

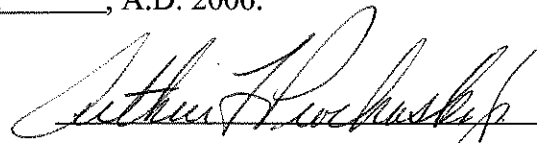
Section 1: The Mayor and the City Clerk are herewith authorized and directed to execute, on behalf of the City, the amended and restated Development Agreement, a copy of which is attached hereto and made a part hereof as Exhibit "A"

Section 2: This ordinance shall be in full force and effect from and after its passage and approval as provided by law.

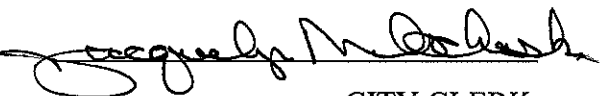
JAMES BOCK 
VALERIE BURD 
JASON LESLIE 
ROSE SPEARS 

JOSEPH BESCO 
PAUL JAMES 
MARTY MUNNS 
DEAN WOLFER 

Approved by me, as Mayor of the United City of Yorkville, Kendall County,
Illinois, this 24 Day of October, A.D. 2006.


MAYOR

Passed by the City Council of the United City of Yorkville, Kendall County,
Illinois this 24 day of October, A.D. 2006.

ATTEST: 
CITY CLERK

Prepared by:

John Justin Wyeth
City Attorney
United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560

DEVELOPMENT AGREEMENT
'Kendall Marketplace'

This Development Agreement, hereinafter referred to as "Agreement", is made and entered into this 24 day of OCTOBER, 2006 by and between, Cannonball LLC, hereinafter referred to as "DEVELOPER" and the United City of Yorkville, Illinois, a Municipal Corporation, hereinafter referred to as "CITY". The DEVELOPER and the CITY may hereinafter be referred to as the Parties.

WITNESSETH

WHEREAS, the DEVELOPER is the contract purchaser of certain real property, hereinafter referred to as the "Property", located in the CITY and legally described as set forth in Exhibit "A" attached hereto and incorporated by references as if more fully set forth; and

WHEREAS, the Property is generally located at the northwest corner of US 34 and Cannonball Trail and consists of approximately 193 acres; and

WHEREAS, the DEVELOPER seeks a PUD zoning classification to allow for uses permitted within the B-3, R-2 and R-3 zoning classifications to exist on the property;

WHEREAS, the CITY has determined that the terms and conditions set forth herein will serve a public use and will promote the health, safety, prosperity, security, and general welfare of the inhabitants and taxpayers of the CITY; and

WHEREAS, the DEVELOPER, its vendors, grantees, assigns, successors, trustees and all others holding interest in the property now or in the future, agree and enter into this contract, which shall operate as a covenant running with the land and be binding upon any developer and its representatives, and future owners of the land;

NOW, THEREFORE, the CITY and DEVELOPER, in consideration of the mutual covenants and agreements contained herein, do mutually agree as follows:

ARTICLE I

GENERAL COMPLIANCE WITH ORDINANCES

DEVELOPER hereby agrees to comply with all CITY ordinances, and this Agreement shall alter said ordinances only as specifically set forth herein. Where the ordinances of the CITY conflict with the provisions herein, this Agreement shall control.

ARTICLE II

PROPERTY DEVELOPMENT

The Development of the Property shall be generally pursuant to the Conceptual Plans attached hereto and incorporated herein as Exhibit "B".

The development of the subject real property described in the attached Exhibit "A" shall be subject to approval of all Ordinances of the CITY; Site Plan approval, engineering approval (by CITY staff or outside review engineering consultant as elected by the CITY) and Site Plan approval by the City Council in conformance with the United City of Yorkville Zoning Ordinance, Subdivision Control Ordinance, City Reimbursement of Consultants and Review Fees Ordinances, Municipal Building Fee, City Land-Cash Ordinance, and City Development Fee Ordinance, payable at the time of Site Plan approval, which have been voluntarily contracted to between the parties and agreed to by DEVELOPER. All said fees are described in the attached Exhibits 'D' and 'E'.

DEVELOPER agrees that the Final Site Plan shall substantially comply with all requirements as set out in the United City of Yorkville Zoning Ordinance and Subdivision Control Ordinance currently in effect when development approval is requested, unless provided for differently in this Agreement.

Utilities and Public Improvements. That On-Site infrastructure construction and engineering shall be governed by the standards contained in the Yorkville Subdivision Control Ordinance and other applicable Ordinances unless specifically addressed in this agreement, in which case this agreement shall control.

ARTICLE III

SPECIAL PROVISIONS

DESIGN STANDARDS: The below design standards are in addition to the required standards of the CITY regulated by the City's Appearance Code (Title 8, Chapter 15).

1. Single-Family Detached Residential Unit Design Standards:
 - a. Masonry products* shall be incorporated on the front façade* of 75% of the total units.
 - b. A minimum of 75% of the front façade* of each building shall incorporate masonry products*. A 10% reduction of the required masonry area will be given for each major architectural feature on the front façade.
 - c. A minimum of 50% of each building elevation shall incorporate premium siding material*

- d. Primary structures shall be constructed upon either a basement or foundation – ‘slab’ construction shall not be used.
2. Single-Family Attached Residential Unit Design Standards:
- a. Masonry products* shall be incorporated on the front façade* of 100% of the total townhome buildings.
 - b. A minimum of 50% of the front façade* of each building shall incorporate masonry products*.
 - c. A minimum of 50% of each building elevation shall incorporate premium siding material*.
 - d. Each unit shall include two (2) enclosed parking spaces.
3. Commercial Design Standards:
- a. All ‘Guidelines’ within the Appearance Code section ‘V Criteria For Appearance, 4. Non-Residential, b. Building Design, 1. Commercial, Office and Institutional Uses, b. Guidelines for unbuilt sites’ shall be required applications.
 - b. Signage:
 - i. All free standing monument signage must include a 100% masonry product* base no less than the width of the sign area.
 - c. The retail user known and labeled on the Concept and Preliminary PUD Plans as “Home Depot” shall be permitted fencing surrounding the outdoor sales area at the north side of the building to be up to twenty feet (20’) in height.

RESIDENTIAL FEES

- 1. In addition to all required application, permit and connection fees the following fees shall be collected for each residential unit at time of Building Permit:
 - a. \$2,000 City Road Fee
 - b. \$1,549 County Road Fee

CANNONBALL TRAIL OFF-SITE LANDSCAPING

The DEVELOPER agrees to provide the owners of the properties along the east side of Cannonball Trail directly adjacent to the Subject Property and depicted on Exhibit “C” with the following:

- 1. A landscape plan designed specifically for the Cannonball Trail frontage of their property that will minimize the visual impact of the development of the subject property;
- 2. All plant material necessary to implement the landscape plan and installation of said plant material;

The landscape contribution to the adjacent property owners is subject to the following conditions:

1. Mutual agreement between the DEVELOPER and the adjacent property owners of the appropriate landscape plan;
2. The adjacent property owners will grant the DEVELOPER a construction easement to install the landscaping;

SIGNAGE

The CITY agrees to permit special signage for the Subject Property as detailed in Exhibit "F" and including two (2) pylon signs 29'-4" in height and 191.5 square feet in sign area;

ARTICLE IV

EFFECTIVE DATE

The effective date of this Agreement shall be the date this Agreement is approved and executed and delivered by the DEVELOPER and CITY.

CITY:

UNITED CITY OF YORKVILLE,
an Illinois municipal corporation

By: 

Title: Mayor

Attest: 

Title: City Clerk

Dated: 11/19/07

DEVELOPER:

CANNONBALL, LLC

By: The Harlem Irving Companies,
Inc.

an Illinois corporation, Manager

By: 

DONALD W. BAILEY, VICE PRESIDENT

Attest: 

GREGORY E. FIX, GENERAL COUNSEL

Dated: 11/17/07

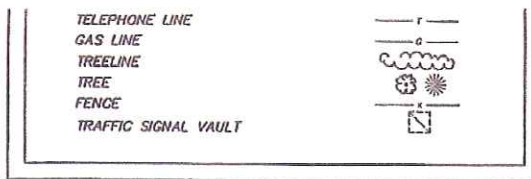


Exhibit "A"

1
14

THAT PART OF THE SOUTH EAST 1/4 OF SECTION 19, PART OF THE SOUTH 1/2 OF SECTION 20 AND PART OF THE NORTH WEST 1/4 OF SECTION 29, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH EAST CORNER OF SAID SOUTH EAST 1/4 SECTION 19; THENCE NORTH ALONG THE EAST LINE OF SAID SOUTH EAST 1/4 310.20 FEET; THENCE WESTERLY PERPENDICULAR TO SAID EAST LINE 198.0 FEET FOR THE POINT OF BEGINNING; THENCE EASTERLY ALONG THE LAST DESCRIBED COURSE 198.0 FEET; THENCE SOUTH ALONG SAID EAST LINE 310.20 FEET TO SAID SOUTH EAST CORNER; THENCE SOUTH ALONG THE WEST LINE OF SAID NORTH WEST 1/4 OF SECTION 29, 429.15 FEET TO THE CENTER LINE OF U.S. ROUTE NO. 34; THENCE EASTERLY ALONG SAID CENTER LINE, WHICH FORMS AN ANGLE OF 95 DEGREES, 41 MINUTES, 25 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 2059.30 FEET TO THE CENTER LINE EXTENDED SOUTHERLY OF CUT-OFF ROAD; THENCE NORTHERLY ALONG SAID CUT-OFF ROAD CENTER LINE EXTENDED AND SAID CENTER LINE WHICH FORMS AN ANGLE OF 106 DEGREES, 47 MINUTES, 23 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 1816.44 FEET TO THE NORTH WEST CORNER OF OAK KNOLLS SUBDIVISION; THENCE NORTHERLY ALONG SAID CUT-OFF ROAD CENTER LINE WHICH FORMS AN ANGLE OF 180 DEGREES, 26 MINUTES, 14 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 746.59 FEET; THENCE NORTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 86 DEGREES, 39 MINUTES, 00 SECONDS WITH THE CENTER LINE OF CUT-OFF ROAD GOING NORTHERLY FROM THE LAST DESCRIBED POINT, MEASURED COUNTER CLOCKWISE THEREFROM, 441.97 FEET; THENCE NORTHWESTERLY ALONG A LINE FORMING AN ANGLE OF 33 DEGREES, 20 MINUTES, 00 SECONDS WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 65.90 FEET; THENCE NORTHERLY ALONG A LINE WHICH FORMS AN ANGLE OF 38 DEGREES, 44 MINUTES, 00 SECONDS WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 138.82 FEET; THENCE WESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 271 DEGREES, 25 MINUTES, 4 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER CLOCKWISE THEREFROM, 2658.89 FEET TO A POINT ON THE EAST LINE OF SAID SOUTH EAST 1/4 OF SECTION 12 WHICH IS 147.18 FEET SOUTH OF THE NORTH EAST CORNER OF SAID SOUTH EAST 1/4; THENCE WESTERLY ALONG THE PROLONGATION OF THE LAST DESCRIBED COURSE 580.80 FEET; THENCE WESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 176 DEGREES, 11 MINUTES, 47 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER CLOCKWISE THEREFROM, 258.97 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHEAST 1/4 WHICH IS 1826.22 FEET EASTERLY OF THE CENTER OF SAID SECTION 19; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 62 DEGREES, 59 MINUTES, 10 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 2411.25 FEET TO THE POINT OF BEGINNING, (EXCEPT THAT PART OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF U.S. ROUTE NO. 34 AND THE CENTERLINE OF CANNONBALL TRAIL; THENCE NORTH 21 DEGREES, 49 MINUTES, 35 SECONDS EAST ALONG THE CENTERLINE OF CANNONBALL TRAIL, 555.0 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 68 DEGREES, 10 MINUTES, 25 SECONDS WEST, 48.0 FEET, THENCE SOUTH 21 DEGREES, 49 MINUTES, 35 SECONDS WEST, PARALLEL TO SAID CENTERLINE OF CANNONBALL TRAIL, 470.0 FEET; THENCE SOUTH 57 DEGREES, 49 MINUTES, 35 SECONDS WEST, 74.81 FEET TO THE NORTHERLY RIGHT OF WAY OF SAID U.S. ROUTE NO. 34; THENCE EASTERLY ALONG SAID NORTHERLY LINE, 96.05 FEET TO THE CENTERLINE OF CANNONBALL TRAIL; THENCE NORTH 21 DEGREES, 49 MINUTES, 35 SECONDS EAST, ALONG SAID CENTERLINE, 502.78 FEET TO THE POINT OF BEGINNING, AND EXCEPT THAT PART OF THE SOUTH HALF OF SECTION 20, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP AND RANGE AFORESAID; THENCE SOUTH ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP AND RANGE AFORESAID, 429.15 FEET TO THE CENTERLINE OF U.S. ROUTE NO. 34; THENCE EASTERLY ALONG SAID CENTERLINE, WHICH FORMS AN ANGLE OF 95 DEGREES 41 MINUTES 25 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 2059.30 FEET TO THE CENTERLINE EXTENDED SOUTHERLY OF CANNONBALL TRAIL; THENCE NORTHERLY ALONG THE CENTERLINE OF SAID CANNONBALL TRAIL, WHICH FORMS AN ANGLE OF 106 DEGREES 47 MINUTES 23 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 1816.44 FEET TO THE NORTHWEST CORNER OF OAK KNOLLS SUBDIVISION; THENCE CONTINUING NORTHERLY ALONG SAID CENTERLINE, WHICH FORMS AN ANGLE OF 180 DEGREES 26 MINUTES 14 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 746.59 FEET FOR THE POINT OF BEGINNING; THENCE NORTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 94 DEGREES 29 MINUTES 17 SECONDS WITH SAID CENTERLINE, MEASURED CLOCKWISE THEREFROM, 140.00 FEET; THENCE SOUTHERLY ALONG A LINE WHICH FORMS AN ANGLE OF 85 DEGREES 30 MINUTES 43 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM AND PARALLEL WITH SAID CENTERLINE, 100.00 FEET; THENCE EASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 94 DEGREES 29 MINUTES 17 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 140.00 FEET TO SAID CENTERLINE; THENCE NORTHERLY ALONG SAID CENTERLINE, WHICH FORMS AN ANGLE OF 85 DEGREES 30 MINUTES 43 SECONDS WITH THE LAST DESCRIBED COURSE, 100.00 FEET TO THE POINT OF BEGINNING), IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

To Mid America, and Chicago Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2005, and includes Items 1, 2, 3, 4, 7a, 8, 10, and 11a of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Illinois, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

Dated at Yorkville, Illinois, March 22, 2006.

Craig L. Duy
Craig L. Duy, IPLS No. 3359
License Expiration: 11/30/2008

GENERAL PROJECT DATA :
TOTAL SITE AREA +/- 192.30 ACRES
RESIDENTIAL SITE AREA +/- 47.26 ACRES
COMMERCIAL SITE AREA +/- 105.33 ACRES
DETENTION AREA +/- 2.590 ACRES
PARK AREA +/- 4.40 ACRES
CIVIC USE AREA +/- 8.33 ACRES
OPEN SPACE AREA +/- 3.28 ACRES
DEDICATED R.O.W. AREA +/- 1.58 ACRES

RESIDENTIAL SITE DATA :
TOTAL SITE AREA +/- 47.26 ACRES
TOTAL DWELLING 192 UNITS
AVERAGE DENSITY 4.06/AC.

SINGLE FAMILY PARCEL :
PARCEL AREA +/- 8.75 ACRES
TOTAL DWELLING 28 UNITS
DENSITY 3.20/AC.

MULTI - FAMILY PARCEL :
PARCEL AREA +/- 38.51 ACRES
TOTAL DWELLING 164 UNITS
DENSITY 4.26/AC.

COMMERCIAL SITE DATA :
TOTAL SITE AREA +/- 105.33 ACRES
TOTAL OUTLOT AREA +/- 24.74 ACRES
TOTAL G.L.A. 743,057 S.F.
TOTAL PARKING REQD. 3,831 CARS
BASED ON 3 CARS PER 1000 S.F. OF FLOOR AREA FOR RETAIL
& 5 CARS PER 1000 S.F. OF FLOOR AREA FOR RESTAURANTS
TOTAL PARKING PROVIDED 3,911 CARS

HOME DEPOT PARCEL:
PARCEL AREA +/- 10.59 ACRES
TOTAL G.L.A. 102,867 S.F.
TOTAL PARKING REQD. 514 CARS
BASED ON 3 CARS PER 1000 S.F. OF FLOOR AREA FOR RETAIL
TOTAL PARKING PROVIDED 484 CARS

KOHL'S PARCEL:
PARCEL AREA +/- 8.50 ACRES
TOTAL G.L.A. 65,686 S.F.
TOTAL PARKING REQD. 429 CARS
BASED ON 3 CARS PER 1000 S.F. OF FLOOR AREA FOR RETAIL
TOTAL PARKING PROVIDED 532 CARS

SUPER TARGET PARCEL:
PARCEL AREA +/- 15.80 ACRES
TOTAL G.L.A. 185,000 S.F.
TOTAL PARKING REQD. 925 CARS
BASED ON 3 CARS PER 1000 S.F. OF FLOOR AREA FOR RETAIL
TOTAL PARKING PROVIDED 957 CARS

PROPOSED SITE PLAN

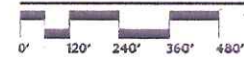


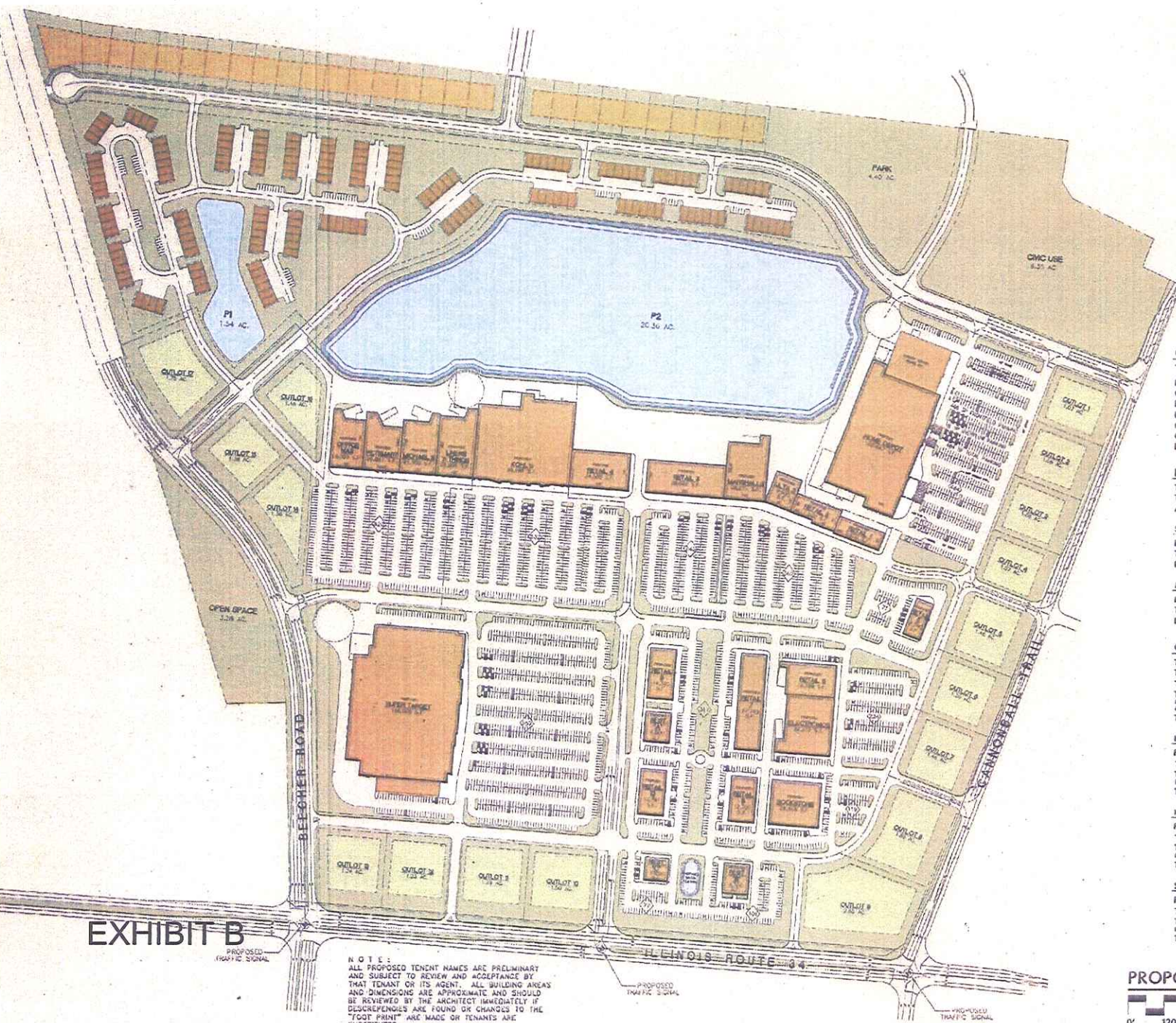
EXHIBIT B

PROPOSED
TRAFFIC SIGNAL

NOTE :
ALL PROPOSED TENANT NAMES ARE PRELIMINARY
AND SUBJECT TO REVIEW AND ACCEPTANCE BY
THAT TENANT OR ITS AGENT. ALL BUILDING AREAS
AND DIMENSIONS ARE APPROXIMATE AND SHOULD
BE REVIEWED BY THE ARCHITECT IMMEDIATELY IF
DISCREPANCIES ARE FOUND OR CHANGES TO THE
"FOOT PRINT" ARE MADE OR TENANTS ARE
SUBSTITUTED.

PROPOSED
TRAFFIC SIGNAL

PROPOSED
TRAFFIC SIGNAL



CANNONBALL TRAIL PROPER

Exhibit C

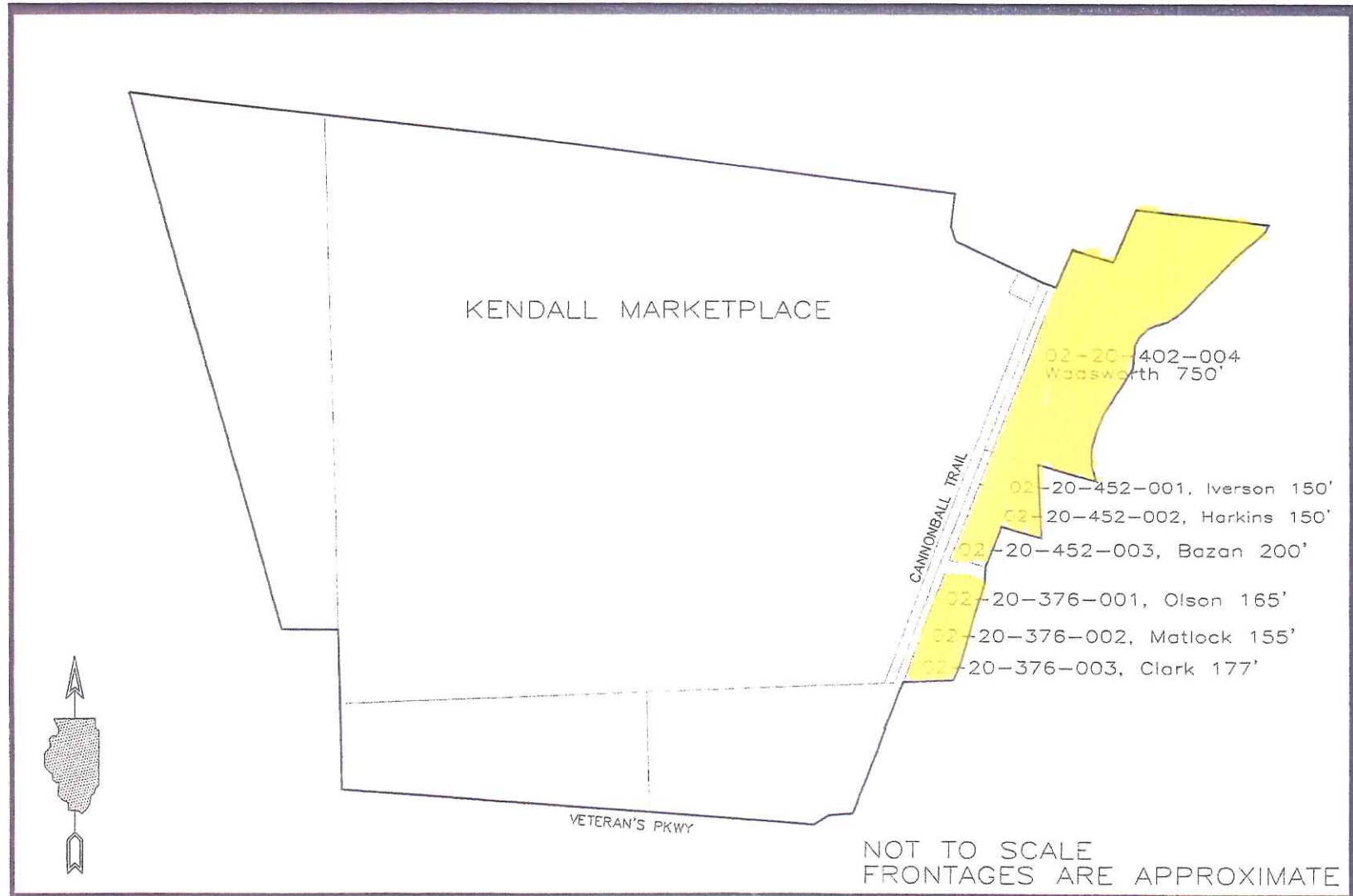


EXHIBIT D - RESIDENTIAL DEVELOPMENT FEES

	Name of Fee	Amount	Time of Payment
1	School District Transition Fee	\$3,000 per unit	Paid to School District Office prior to issuance for building permit
2	Yorkville Bristol Sanitary District Connection Fee	\$1,400 per unit	At time of building permit, paid at City Hall with separate check made out to YBSD
3	Yorkville Bristol Sanitary District Annexation Fee	\$3,523 per acre	Paid for entire development, at time of annexation to sanitary district
4	Yorkville Bristol Sanitary District Infrastructure Fee	\$3,523 per acre	Paid for entire development, at time of annexation to sanitary district
5	Building Permit Fee	\$650 + \$.020 per square foot	Building Permit
6	Water Connection Fee	\$3,700 per unit	Building Permit
7	Water Meter Cost (not applicable to fee lock)	\$390 per unit	Building Permit
8	City Sewer Connection Fee	\$2,000 per unit	Building Permit
9	Water and Sewer Inspection Fee	\$25 per unit	Building Permit
10	Public Walks and Driveway Inspection Fee	\$35 per unit	Building Permit
11a	Public Works (Development Impact Fee)	\$700 per unit	Building Permit
11b	Police (Development Impact Fee)	\$300 per unit	Building Permit
11c	Municipal Building (Development Impact Fee)	see "time of payment"	Municipal Building Impact Fee is set up as \$5,509 per unit if paid at time of permit, or \$3,288 per unit if paid at time of final plat for all units in the entirety of the annexed development.
11d	Library (Development Impact Fee)	\$500 per unit	Building Permit
11e	Parks and Rec (Development Impact Fee)	\$50 per unit	Building Permit
11f	Engineering (Development Impact Fee)	\$100 per unit	Building Permit
11g	Bristol Kendall Fire District (Development Impact Fee)	\$1,200 per unit	Building Permit
12	Parks Land Cash Fee	Calculated by ordinance, \$80,000 per acre	Building Permit or Final Plat, depending on annexation/development agreement and land/cash donations negotiated
13	School Land Cash Fee	Calculated by ordinance, \$80,000 per acre	Building Permit or Final Plat, depending on annexation/development agreement and land/cash donations negotiated
14	Road Contribution Fund	\$2,000 per unit	Building Permit
15	County Road Fee	\$1,549 per unit, escalating each calendar year at a rate determined by ordinance	Building Permit
16	Weather Warning Siren	\$75 per acre	Final Plat
17	Administration Review Fee	1.75% of Approved Engineer's Estimate of Cost of Land Improvements	Final Plat
18	Engineering Review Fee	1.25% of Approved Engineer's Estimate of Cost of Land Improvements	Final Plat



United City of Yorkville

County Seat of Kendall County
800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

EXHIBIT E

COMMERCIAL PERMIT FEES

Permit/Plan Review

Building Permit	\$750.00 plus \$0.20 per square foot
Plan Review	Based on building size (See Attached)

Contributions

Development Fee	\$3000.00* - See Attached Ordinance 2004-55 (Increase in Bristol-Kendall Fire Protection District Fee)
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Water/Sewer

Sewer Tap	See Attached Ordinance #96-11	
Water Tap	<u>Water Meter Size</u>	<u>Water Connection Fee</u>
	1"	\$ 3,700
	1 1/2"	\$ 4,000
	2"	\$ 5,000
	3"	\$ 8,000
	4"	\$15,000
	6" and larger	TBD

Water Meter	<u>Water Meter Size</u>	<u>Water Meter Price</u>
	1"	\$ 485.00
	1 1/2"	\$ 790.00
	2"	\$2800.00
	3"	\$3550.00
	4"	\$5420.00
	6"	\$8875.00

Engineering Inspections	\$60.00
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River Crossing Fee	\$25.00 per drain unit. See attached Ordinance 97-11
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**Engineering and Landscaping review fees will be billed separately.

*** Please call the Yorkville Bristol Sanitary District for sanitary permit fees (630) 553-7657

EXHIBIT E

MULTIPLE-FAMILY RESIDENTIAL USE GROUPS

A. New Construction Per Unit	\$350.00 plus \$0.15 per s.f.
B. Remodeling Per Unit	\$175.00 plus \$0.10 per s.f.
C. Detached Garage Per Unit without Electrical	\$50.00
D. Detached Garage Per Unit with Electrical	\$100.00
E. Temporary to Start Construction	25% of full permit fee, not to be applied to the full permit fee
F. Temporary Certificate of Occupancy when Requested by the Builder when Circumstances <u>Do Not</u> Warrant	\$50 per unit (non-refundable)

ALL OTHER USE GROUPS

<input type="checkbox"/> A. New Construction	\$750.00 plus \$0.20 per square foot	<input type="checkbox"/>
B. Additions	\$500.00 plus \$0.20 per square foot	
C. Remodeling	\$350.00 plus \$0.10 per square foot	
D. Temporary to Start Construction	25% of full permit fee, not to be applied to the full permit fee	
E. Temporary Certificate of Occupancy when Requested by the Builder when Circumstances <u>Do Not</u> Warrant	\$200.00 (non-refundable)	

NOTE: Building permit fee does not include the plan review fee for the "multiple-family residential use group" and "other use group" categories. The plan review fee will be based on the schedule following the permit fees. Plan review fees to the inspection firm will be paid at the same time as the building permit fee.

EXHIBIT E

PLAN REVIEW FEES (May vary due to outside consultant's fee schedules.)

BUILDING CODE

<i>Building Size</i>	<i>Fee</i>
1 to 60,000 cubic feet	\$355.00
60,001 to 80,000 cubic feet	\$400.00
80,001 to 100,000 cubic feet	\$475.00
100,001 to 150,000 cubic feet	\$550.00
150,001 to 200,000 cubic feet	\$650.00
over 200,000 cubic feet	\$650.00 + \$6.50 per 10,000 cubic feet over 200,000

REMODELING PLAN REVIEW 1/2 of Plan Review Fee Listed Above

ELECTRICAL, MECHANICAL, OR PLUMBING PLAN REVIEW ONLY
1/4 of Plan Review Fee Listed Above

FIRE DETECTION/ALARM SYSTEMS

\$115.00 per 10,000 square feet of floor area

FIRE SPRINKLER SYSTEMS

<i>Number of Sprinklers</i>	<i>Pipe Schedule</i>	<i>Hydraulic Calculated</i>
Up to 200	\$250.00	\$500.00
201-300	\$300.00	\$575.00
301-500	\$400.00	\$775.00
Over 500	\$450.00	\$850.00
PLUS, for each Sprinkler over 500:	\$0.60/each	\$0.95/each

ALTERNATE FIRE SUPPRESSION SYSTEMS

Standpipe	\$175.00 per Standpipe Riser (No charge with Sprinkler Review)
Specialized Extinguisher Agent (Dry or Other Chemical Agent)	\$125.00 per 50 pounds agent
Hood & Duct Cooking Extinguisher Agent	\$150.00 flat rate per system.

NOTE: If any plan has to be sent to an outside consultant other than the inspection firm, the outside consultant's fee(s) will be charged and that fee paid directly to the outside consultant.

STATE OF ILLINOIS)
)ss.
COUNTY OF KENDALL)

ORDINANCE 2004 - 55

AN ORDINANCE AMENDING ORDINANCE NO.
2003-31 AN ORDINANCE SETTING FORTH THE STANDARDS
AND REGULATION FOR PAYMENT FOR DEVELOPMENT
AND EXTENSION OF UTILITY COSTS UPON ANNEXATION
AND/OR PLANNED UNIT DEVELOPMENT TO PROVIDE FOR AN
INCREASE IN THE BRISTOL KENDALL FIRE PROTECTION DISTRICT FEE

WHEREAS, the UNITED CITY OF YORKVILLE is currently experiencing a substantial increase in population, together with the need to expand existing municipal services to provide for orderly growth and adequate municipal services; and

WHEREAS, the BRISTOL KENDALL FIRE PROTECTION DISTRICT provides fire protection, emergency medical services and rescue services for the UNITED CITY OF YORKVILLE; and

WHEREAS, the UNITED CITY OF YORKVILLE has thoroughly reviewed the need for expanding municipal services and the need for capital purchases and reviewed the study conducted by the BRISTOL KENDALL FIRE PROTECTION DISTRICT, a copy of which is attached hereto and incorporated herein by reference, to support increases in the fees provided herein; and

WHEREAS, the UNITED CITY OF YORKVILLE has thoroughly reviewed the cost to be incurred to provide for the expansion of said City; and

EXHIBIT E

WHEREAS, the City has determined that the following fees bear a rational relationship to the costs anticipated to be incurred by the various governmental entities and departments of the City to be affected; and

WHEREAS, the UNITED CITY OF YORKVILLE has previously enacted Ordinance No: 2003-31 which set standards and regulations for payment of the extension and development of capital costs for utility and governmental purposes; and

WHEREAS, one component of that Ordinance was to collect the sum of Three Hundred and 00/00 dollars (\$300.00) for the acquisition of equipment and vehicles, maintenance of the BRISTOL KENDALL FIRE PROTECTION DISTRICT, and for other capital purchases of said BRISTOL KENDALL FIRE PROTECTION DISTRICT; and

WHEREAS, the UNITED CITY OF YORKVILLE has been requested by the BRISTOL KENDALL FIRE PROTECTION DISTRICT to increase the amount of said fees to the sum of One Thousand and 00/00 Dollars (\$1,000.00) per single-family residential dwelling unit and single-family attached dwellings including, but not limited to, duplexes and town homes; and

WHEREAS, the UNITED CITY OF YORKVILLE has been requested by the BRISTOL KENDALL FIRE PROTECTION DISTRICT to increase the amount of said fees to the sum of Five Hundred and 00/00 Dollars (\$500.00) per unit of any multifamily structure, including, but not limited to, apartment buildings; and

WHEREAS, the UNITED CITY OF YORKVILLE has been requested by the BRISTOL KENDALL FIRE PROTECTION DISTRICT to increase the amount of said fees for all other occupancy classifications as follows:

EXHIBIT E

- a. The sum of 10.0 cents per square foot, with a minimum fee of One Thousand and 00/00 Dollars (\$1,000.00) effective as of January 1, 2005 up and to April 30, 2006.
- b. The sum of 12.0 cents per square foot, with a minimum fee of One Thousand Two Hundred and 00/00 Dollars (\$1,200.00) effective from May 1, 2006 up and to April 30, 2007.
- c. The sum of 15.0 cents per square foot, with a minimum fee of One Thousand Five Hundred and 00/00 Dollars (\$1,500.00) effective from May 1, 2007

NOW THEREFORE, the UNITED CITY OF YORKVILLE, does upon Motion duly made, seconded and approved by a majority of those voting does hereby ORDAIN:

- 1 Ordinance 2003-31 is hereby amended to increase the Development Fee for the BRISTOL KENDALL FIRE PROTECTION DISTRICT payable per single-family residential dwelling unit and per single-family attached dwelling including, but not limited to, duplex and town home residential dwelling units from Three Hundred and 00/00 Dollars (\$300.00) to One Thousand and 00/00 Dollars (\$1,000.00) for each unit annexed, zoned, and platted on and subsequent to the effective date within the United City of Yorkville on a subsequent to the effective date of January 1, 2005 payable at the time of issuance of building permit, or payable at the time of building permit for each unit annexed and zoned within the United City of Yorkville on and subsequent to the aforementioned effective date.
2. Ordinance 2003-31 is hereby amended to increase the Development Fee for the BRISTOL KENDALL FIRE PROTECTION DISTRICT per unit of any

EXHIBIT E

multifamily structure, including, but not limited to, apartment buildings to Five Hundred and 00/00 Dollars (\$500.00) for each unit annexed, zoned, and platted for multifamily residential development within the United City of Yorkville on and subsequent to the effective date of January 1, 2005, payable at the time of issuance of building permit, or payable at the time of building permit for each unit annexed and zoned within the United City of Yorkville on and subsequent to the aforementioned effective date .

3. Ordinance 2003-31 is hereby amended to increase the Development Fee for the BRISTOL KENDALL FIRE PROTECTION DISTRICT for all other occupancy classifications, including but not limited to Office District, B-1 Limited Business District, B-2 General Business District, B-3 Service Business District, B-4 Business District, M-1 Limited Manufacturing District and M-2 General Manufacturing District, as follows:
 - a. The sum of 10.0 cents per square foot, with a minimum fee of One Thousand and 00/00 Dollars (\$1,000.00) for any real property annexed, zoned, and platted within the United City of Yorkville effective as of January 1, 2005 up and to April 30, 2006, payable at the time of issuance of building permit, or payable at the time of building permit for each unit annexed and zoned within the United City of Yorkville on and subsequent to the aforementioned effective date.
 - b. The sum of 12.0 cents per square foot, with a minimum fee of One Thousand Two Hundred and 00/00 Dollars (\$1,200.00) for any real property annexed,

EXHIBIT E


- zoned, and platted within the United City of Yorkville effective from May 1, 2006 up and to April 30, 2007, payable at the time of issuance of building permit, or payable at the time of building permit for each unit annexed and zoned within the United City of Yorkville on and subsequent to the aforementioned effective date.
- c. The sum of 15.0 cents per square foot, with a minimum fee of One Thousand Five Hundred and 00/00 Dollars (\$1,500.00) for any real property annexed, zoned, and platted within the United City of Yorkville effective from May 1, 2007 forward, payable at the time of issuance of building permit for each unit annexed and zoned within the United City of Yorkville on and subsequent to the aforementioned effective date.
- 4. This Ordinance shall be contingent upon receipt by the UNITED CITY OF YORKVILLE of a written agreement in the form satisfactory to the UNITED CITY OF YORKVILLE which holds the UNITED CITY OF YORKVILLE harmless, including it and agreeing to defend the UNITED CITY OF YORKVILLE of any claim made as a result of the imposition or collection of said fees.
- 5. The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a Court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

EXHIBIT E

PAUL JAMES
RICHARD STICKA Y
VALERIE BURD Y
LARRY KOT Y

MARTY MUNNS Y
WANDA OHARE Y
ROSE SPEARS Y
JOSEPH BESCO Y

APPROVED by me, as Mayor of the United City of Yorkville, Kendall County, Illinois,
this 12th day of October, A.D. 2004.


MAYOR

PASSED by the City Council of the United City of Yorkville, Kendall County, Illinois
this 12th day of October, A.D. 2004.

Attest: 
CITY CLERK

Law Offices of Daniel J. Kramer
1107A S. Bridge Street
Yorkville, Illinois 60560
630.553.9500

9/10/96

STATE OF ILLINOIS)
) ss. 96-11
COUNTY OF KENDALL)

AN ORDINANCE AMENDING THE TAP-ON
FEE SCHEDULE IN THE UNITED CITY OF YORKVILLE

WHEREAS, the cost of providing sanitary sewer services has risen substantially, over the last several years; and

WHEREAS, the City of Yorkville has been required to provide sanitary sewer services and maintenance as a result of an increase in development; and

WHEREAS, the Mayor and City Council of the United City of Yorkville have determined it to be in the best interest of the City and its residents to increase the "Tap-On" fees for sanitary sewer service.

DEFINITIONS

"Outlet" - means each floor drain, wash basin, wash fountain, toilet, urinal, shower, air conditioner drain, water cooler, dentist tray drain or other similar plumbing fixture and any orifice of any machine, vessel tank of any kind, manifolded or simply, through which waste may flow into a sewer; the flow of which ultimately is processed by Water Pollution Control of the Yorkville Bristol Sanitary District.

"Toilet"-means a bathroom, restroom or other facility having no more than 3 outlets (as defined herein).

PROVISIONS

1. Any residential property wishing to hook-up to city sanitary sewer service shall pay to the city a flat rate of \$2,000.00 per dwelling unit. This is in addition to any and all other fees

EXHIBIT E

charges by any other entity including the applicable sanitary district.

2. Any multi-family building will pay an additional fee of \$400.00 for each drain unit for common area drains which include but are not limited to laundry rooms, floor drains etc. This additional fee shall be paid based on the summation of drain units times the \$400.00 multiplier.

Laundry washer unit	x 1/2
Floor drain	x 1/2
Common use toilet	x 1 1/2
Common use shower	x 1
Common use sink	x 1/2
Pool facilities	x 2
Common use kitchens	x 1 1/2

3. All non-residential properties shall be charged a fee based on the total number of drain units as listed in the attached schedule "A", times a multiplier of \$400.00. This fee is in addition to all other fees charged by any other entity including sanitary districts.

4. All toilets having more than 3 outlets, shall pay at the additional rate of 0.5 drain units per outlet each. This applies to both residential and non-residential properties.

5. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the front building may be extended to the rear building and the whole considered as one building sewer, but the City of Yorkville does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

EXHIBIT E

6. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the City and/or State building and plumbing code or other applicable rules and regulations of the City of Yorkville or Yorkville Bristol Sanitary District.

7. No person(s) shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building drain which in turn is connected directly or indirectly to a public sanitary sewer unless such connection is approved by the City of Yorkville for purposes of disposal of polluted surface drainage.

8. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City of Yorkville and the Yorkville-Bristol Sanitary District. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the City Public Works Department before installation.

9. The applicant for the building sewer permit shall notify the Public Works Department when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the superintendent or his representative.

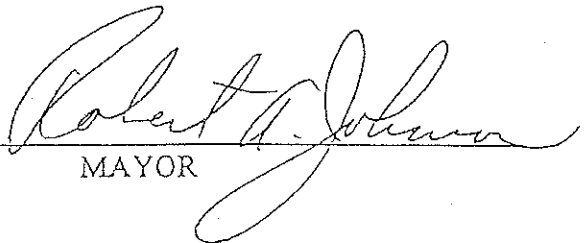
10. All Excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City of Yorkville Public Works Department.

EXHIBIT E

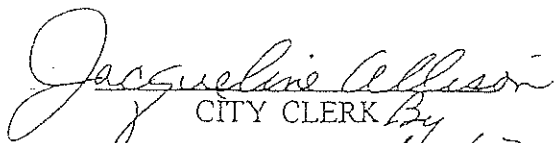
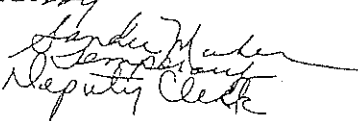
11: This Ordinance will be effective November, 1 1996.

IN ALL OTHER RESPECTS, the fee schedule and rates for the City of Yorkville shall remain unchanged.

Passed this 12th day of September, 1996


MAYOR

ATTESTED:


CITY CLERK By 
Sandra Mader
Deputy Clerk

Law Offices of Daniel J. Kramer
1107A South Bridge Street
Yorkville, Illinois 60560
630.553.9500

SCHEDULE "A"

EXHIBIT E

<u>USE OF BUILDING</u>	<u>NO. OF DRAIN UNITS</u>
STORES, MERCANTILE AND OFFICE BUILDINGS	
Each private toilet	1
Each public toilet with no more than three outlets	1-½
Each additional outlet	½
Soda Fountain	1
Grocery Stores & Meat Markets with garbage grinders	2
DRIVE-INS	
Each public toilet	1-½
Kitchens	1-½
RESTAURANTS AND THEATERS	
Food service capacity. No. of persons	
0-50	1
50-100	2
100-200	3
Each private toilet	1
Each public toilet	1-½
SERVICE STATIONS	
Each public toilet	1-½
Wash rack	2
CLUBS	
Each toilet	1-½
Restaurant charge as above	
MOTELS AND HOTELS	
Each room with bath or shower and/or toilet	1/3
Each public toilet	1-½
Restaurant charge as above	

EXHIBIT E

MOBILE TRAILER PARKS

Each trailer space with sanitary sewer outlet	$\frac{1}{2}$
Each automatic washer unit	$\frac{1}{2}$
Each public toilet	1- $\frac{1}{2}$
Each public shower	1

LAUNDRIES

Each automatic washer unit	$\frac{1}{2}$
Each public toilet	1- $\frac{1}{2}$

SELF-SERVICE CAR WASH

Per rack (covered)	1
Per rack (uncovered)	4

AUTOMATIC CAR WASH

Each production line	10
Each public toilet	1- $\frac{1}{2}$

NURSING HOMES AND HOSPITALS

Resident capacity of each building determined from
architect's plans and specifications divided by 4 (Quotient to 2 decimal points)

SCHOOLS

Student capacity of each building determined from
architect's plans and specifications divided by 12 (Quotient to 2 decimal points)

DORMITORIES, FRATERNITIES AND SORORITIES

Resident capacity of each building determined from
architect's plans and specifications divided by 6 (Quotient to 2 decimal points)

STATE OF ILLINOIS)
)ss
COUNTY OF KENDALL)

EXHIBIT E

ORDINANCE NO. 2006- 32

**ORDINANCE AMENDING ORDINANCE 2003-79
AND REPEALING ORDINANCE 2005-40
ESTABLISHING MUNICIPAL WATER CONNECTION FEES IN
THE UNITED CITY OF YORKVILLE**

WHEREAS, the United City of Yorkville has taken up, discussed and considered amending the City Ordinance 2003-79 regarding Municipal Water Connection Fees; and

WHEREAS, in amending City Ordinance 2003-79, City Ordinance 2005-40 (which previously amended Ordinance 2003-79) will by necessity be repealed.

WHEREAS, the Mayor and City Council have discussed that it may be prudent to amend said Ordinance 2003-79 to change certain connection fees by substituting the Charts defining Residential and Non-Residential Connection Fees depicted on the attached Exhibit "A" and Exhibit "B", in place of Exhibit "A" and Exhibit "B" in Ordinance 2003-79.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE UNITED CITY OF YORKVILLE, upon Motion duly made, seconded and approved by the majority of those members of the City Council voting, hereby enact the water tap-on fee schedule set out in the attached Exhibit "A" and Exhibit "B", and

EXHIBIT E

1. Any Ordinance or parts thereof in conflict with the provisions of this Ordinance, specifically including Ordinance 2005-40, are hereby repealed to the extent of such conflict with this Ordinance.
2. The portion of this Ordinance affecting the water connection fee as indicated in Exhibit "A" and Exhibit "B" shall become effective on June 15, 2006.

JAMES BOCK



VALERIE BURD



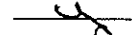
DEAN WOLFER



ROSE SPEARS



JOSEPH BESCO



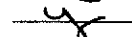
PAUL JAMES



MARTY MUNNS

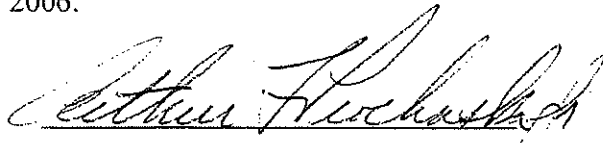


JASON LESLIE



Approved by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this

25 Day of April, A.D. 2006.



MAYOR

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this

25 day of April, A.D. 2006.

ATTEST:



CITY CLERK

Prepared by:

John Justin Wyeth
City Attorney
United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560

EXHIBIT A: RESIDENTIAL CONNECTION FEE

2006 WATER SYSTEM CONNECTION FEE UPDATE

United City of Yorkville, Kendall Co., IL

EXHIBIT E

Residence Type	Projected P.E. Per Residence	Connection Fee Based On \$1,057 / P.E.
Efficiency or Studio Apartment	1.00	\$1,057
1 Bedroom Apartment/Condo	1.50	\$1,586
2+ Bedroom Apartment/Condo	3.00	\$3,171
1 Bedroom Townhome	1.50	\$1,586
2+ Bedroom Townhome	3.00	\$3,171
Duplex Home	3.50	\$3,700
Single Family Home	3.50	\$3,700



**Engineering
Enterprises,
Inc.**

EXHIBIT E

EXHIBIT B: NON-RESIDENTIAL CONNECTION FEE

2006 WATER SYSTEM CONNECTION FEE UPDATE

United City of Yorkville, Kendall Co., IL

Water Meter Size	Water Connection Fee
Less Than Or Equal To 1"	\$3,700
1 1/2"	\$4,000
2"	\$5,000
3"	\$8,000
4"	\$15,000
6" and Larger	TBD

Legend

Non-Residential Land Use shall be considered all
land uses other than those defined in Exhibit A, Page 1

TBD = Connection Fee To Be Determined By City
Council on a Case-By-Case Basis



**Engineering
Enterprises,
Inc.**

EXHIBIT E

STATE OF ILLINOIS)
)
COUNTY OF KENDALL)

4/1/97
5.2.97
5.7.97
5.15.97
5.16.97

97-11

**ORDINANCE ESTABLISHING A FEE TO FUND A NEW SANITARY SEWER
RIVER CROSSING IN THE UNITED CITY OF YORKVILLE**

WHEREAS, the cost of providing sanitary sewer service has risen substantially over the last several years; and

WHEREAS, the City of Yorkville has been required to provide sanitary sewer services and maintenance as a result of the increase in development and usage of City sanitary sewer mains; and

WHEREAS, the Yorkville Bristol Sanitary District which provides sanitary sewer treatment for the sewage transmitted through the City of Yorkville sanitary sewer mains has experienced a dramatic increase in demand for treatment of sanitary sewage; and

WHEREAS, studies conducted by the Yorkville Bristol Sanitary District and considered by the City of Yorkville's Engineer and Economic Development Committee have shown and found that there is not sufficient capacity in the current Fox River crossing siphons to transmit sewage to the Yorkville Bristol Sanitary District Treatment facility located on the north side of the Fox River, capable of addressing the demands from new development; and

WHEREAS, City of Yorkville will front fund the cost of a new river crossing by the Yorkville Sanitary District; and

WHEREAS, the City has established a fund to recover \$595,000.00 to be given to the Yorkville Sanitary District by the City for the construction of a river crossing to transport sewage to the Yorkville Bristol Sanitary District plant on the north side of the Fox River.

EXHIBIT E

NOW THEREFORE BE IT ORDAINED BY THE UNITED CITY OF YORKVILLE a Sanitary Sewer River Crossing Fee is hereby established to fund a sanitary sewer river crossing in the UNITED CITY OF YORKVILLE under the following terms:

1. A fee is hereby established payable for each P.E. or Drain Unit at the issuance of every building permit issued by the United City of Yorkville, for any parcel of real property located within the Sanitary Sewer Service area depicted in the attached Exhibit "A" incorporated herein by reference.

A) For purposes of residential sanitary sewer conversions, P.E. shall be calculated at the rate of \$25.00 per P.E. for single family residential properties.

B) For all other properties the fee shall be calculated on the basis of \$25.00 per Drain Unit, as calculated per Ordinance No. 96-11.

C) The above fees will in addition, accumulate interest from the time of expenditure by the City at a rate of 8% per annum.

2. The above fees are to be paid for all building permits issued on real property located within the Sanitary Sewer Service area depicted in the attached Exhibit "A" incorporated herein by reference for which a new sanitary sewer connection is required.

3. The fee is applicable to both areas within the United City of Yorkville and areas/property outside the City boundaries which hooks-on to the City of Yorkville Sanitary Sewer System and serviced by Yorkville Bristol Sanitary District Plant.

4. This fee shall be required to be paid on all affected real properties after the effective date this Ordinance is passed and approved by the City Council; and due publication thereof.

5. The fees to be charged under the terms of the Ordinance shall be imposed for a period of

EXHIBIT E

20 years from the date of the passage of this Ordinance by the City Council of the United City of Yorkville.

This fee is in addition to any other fees charged by the City of Yorkville for any other purpose including any other sanitary sewer fees.

That should any provision of this Ordinance be found to be invalid then the remaining portion of the Ordinance shall remain in full force and effect. This Ordinance shall be effective as to all building permits issued by the UNITED CITY OF YORKVILLE starting June 1, 1997

Passed and approved this 22nd day of May, 1997.

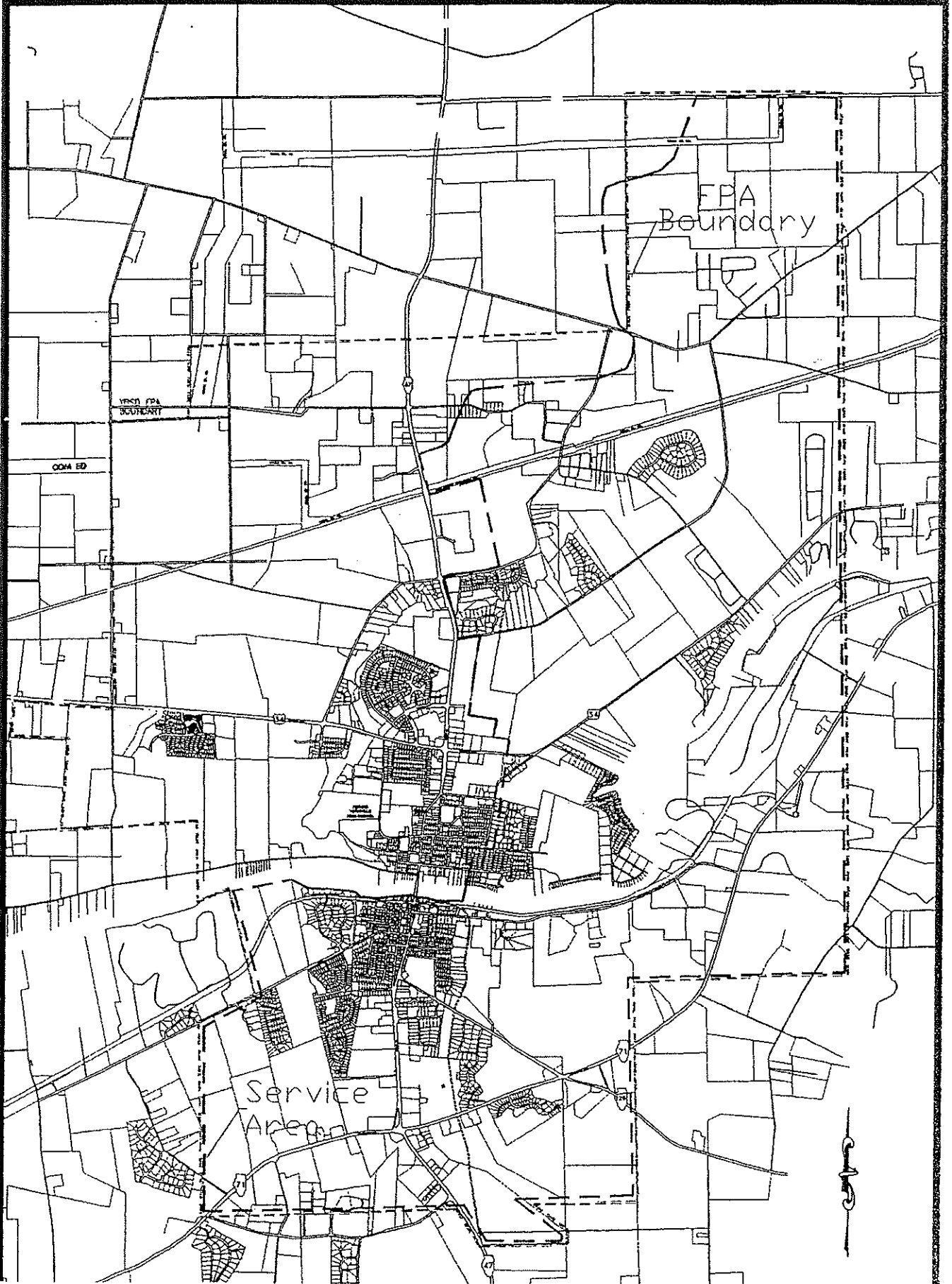
Robert A. Johnson
MAYOR

ATTEST: Deborah K. Simmons
CITY CLERK

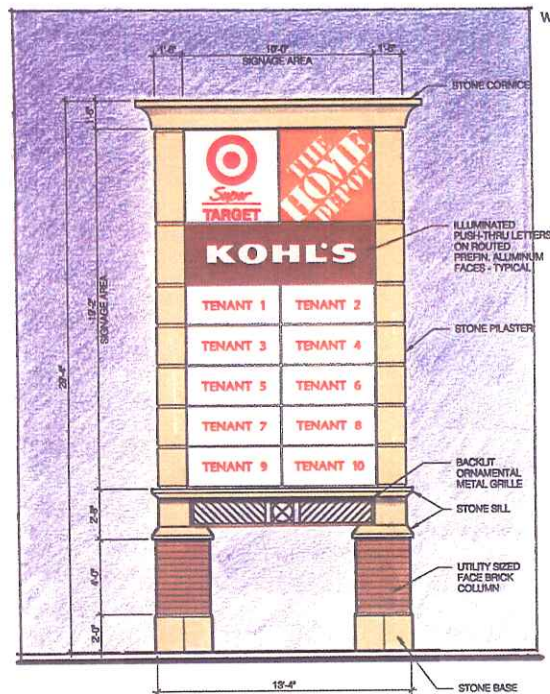
Law Offices of Daniel J. Kramer
1107A S. Bridge Street
Yorkville, Illinois 60560
630.553.9500

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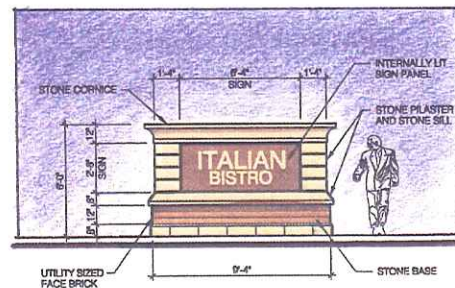
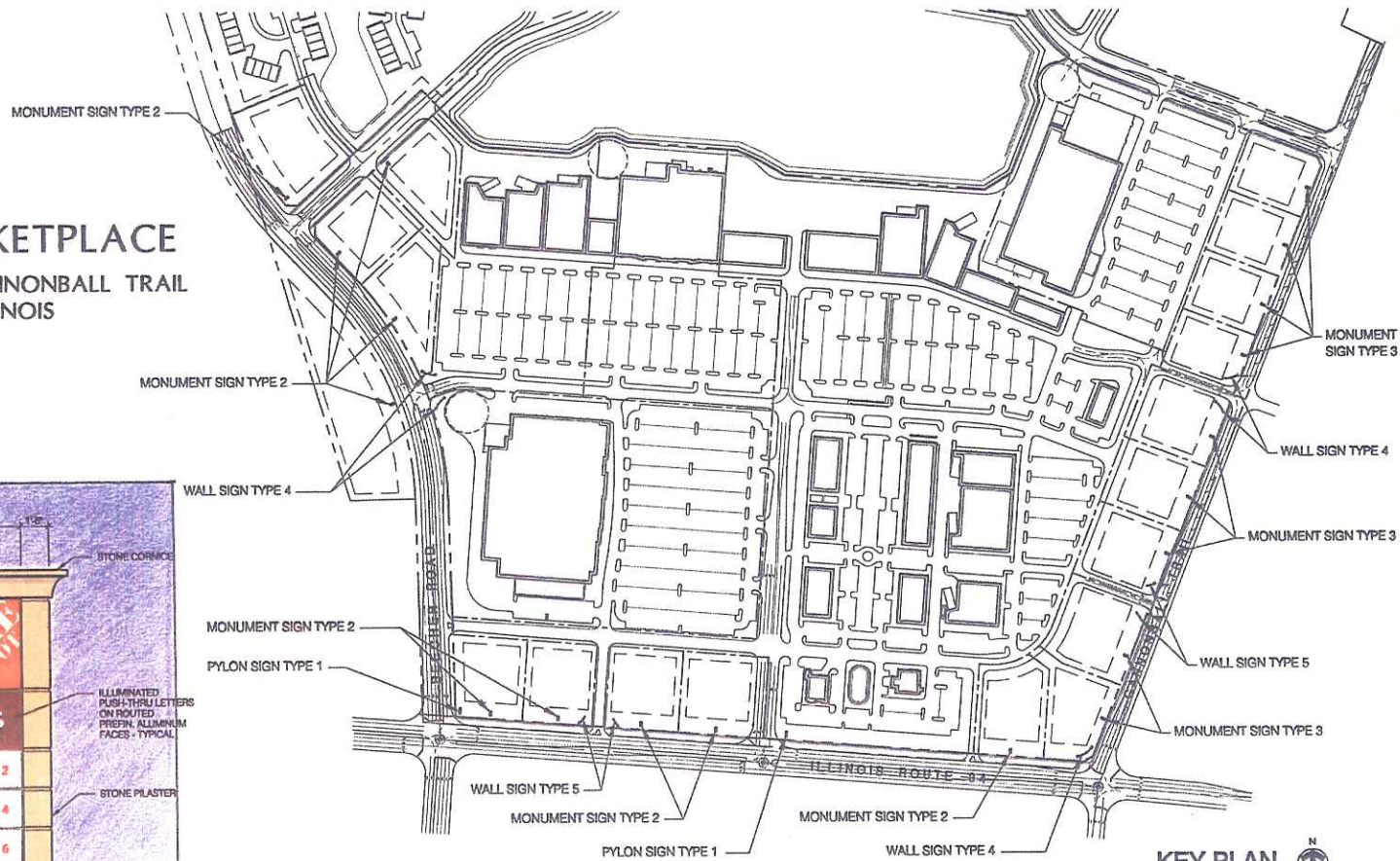
Sanitary Sewer River Crossing Service Area



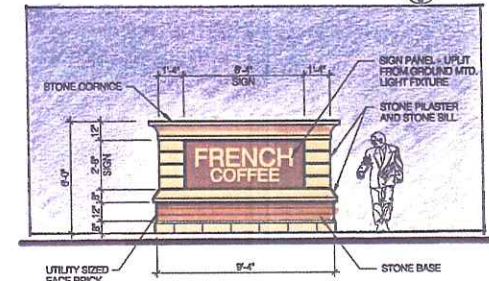
PROJECT:
KENDALL MARKETPLACE
 ILLINOIS ROUTE 34 & CANNONBALL TRAIL
 YORKVILLE, ILLINOIS



PYLON SIGN - TYPE ①
 192 S.F. TOTAL SIGN AREA



MONUMENT SIGN - TYPE ②
 (OUTLOT SIGN)



MONUMENT SIGN - TYPE ③
 (OUTLOT SIGN)

PFDA
 ARCHITECTS INC.

39 N. WACKER DRIVE
 SUITE 200
 CHICAGO, ILLINOIS 60601
 TEL: 312.786.8800
 FAX: 312.786.8801

PROJECT:

KENDALL MARKETPLACE
 ILLINOIS ROUTE 34 & CANNONBALL TRAIL
 YORKVILLE, ILLINOIS

OWNER/DEVELOPER:

MIDAMERICA
 DEVELOPMENT PARTNERS LLC
 1211 N. WACKER DRIVE
 SUITE 200
 CHICAGO, ILLINOIS 60601

DATE: 01/15/2008

BY: [Signature]

PROJECT: 01/15/2008

SHEET: 01/15/2008

SCALE: 1/8" = 1'-0"

DATE: 01/15/2008

BY: [Signature]

PROJECT: 01/15/2008

SHEET: 01/15/2008

SCALE: 1/8" = 1'-0"

DATE: 01/15/2008

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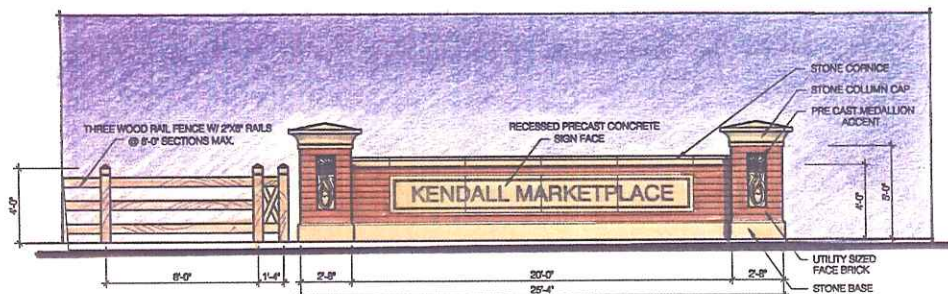
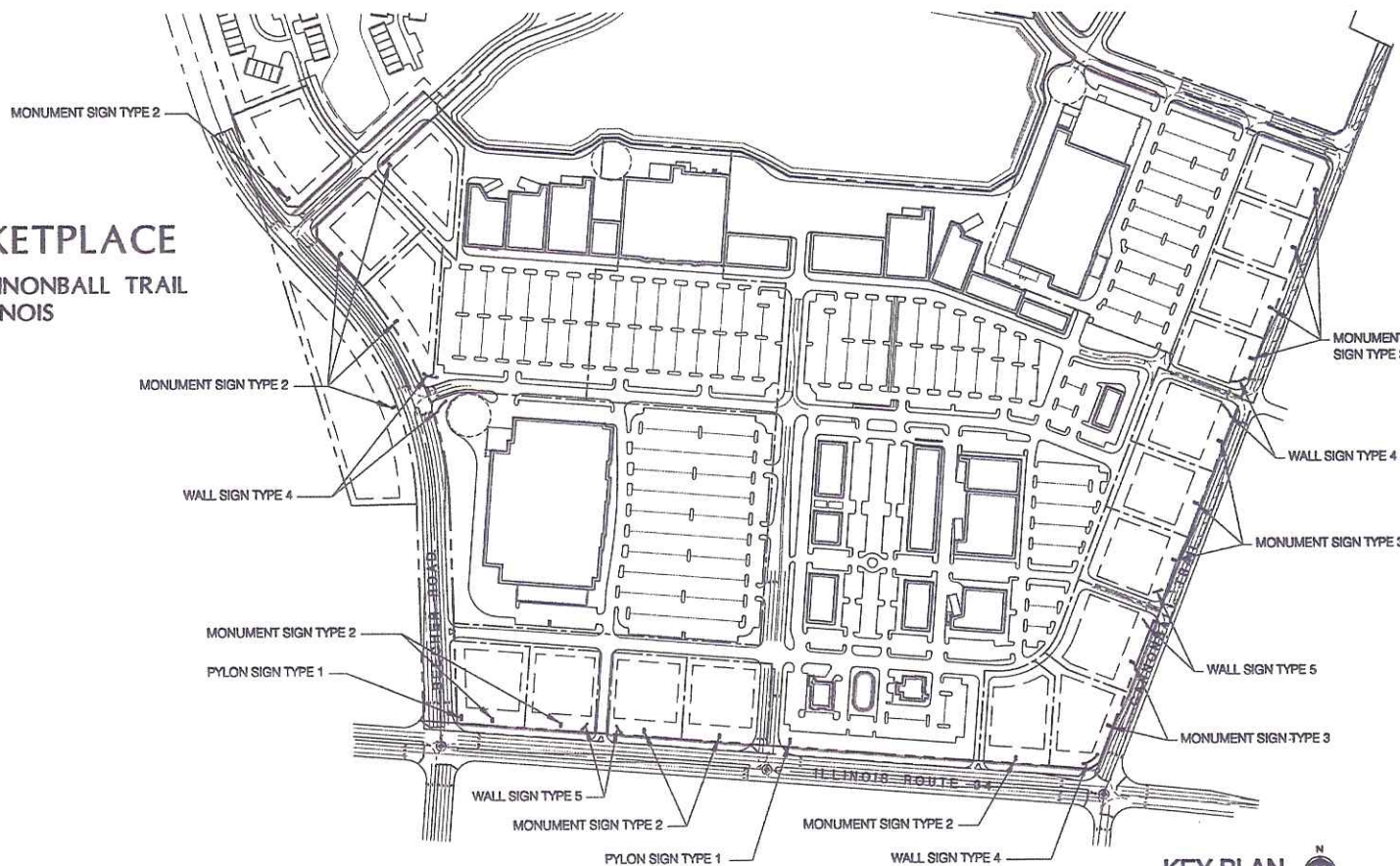
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SHEET: 01/15/2008

SCALE: 1/8" = 1'-0"

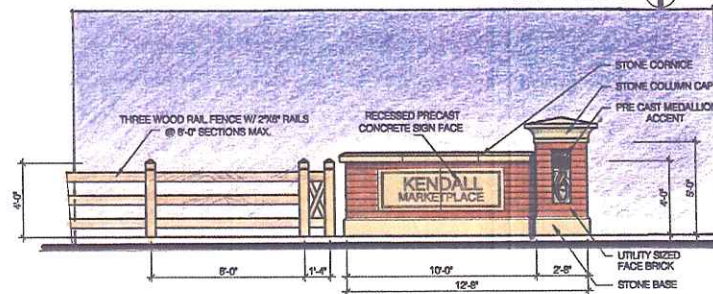
DATE: 01/15/2008

PROJECT:
KENDALL MARKETPLACE
ILLINOIS ROUTE 34 & CANNONBALL TRAIL
YORKVILLE, ILLINOIS



SECONDARY ENTRANCE WALL SIGN - TYPE ④

(CURVED WALL SIGN)



MINOR ENTRANCE WALL SIGN - TYPE (5)

(CURVED WALL SIGN)

Chapter 15

APPEARANCE CODE

8-15-1: OBJECTIVES:

A. The fostering of:

1. Sound and harmonious design of new buildings and sites.
2. Greater interest in the development and redevelopment of business and industrial areas with an emphasis on appearance as it relates to each specific project, its surroundings and the community, by giving encouragement, guidance and direction.
3. Better maintenance of properties through encouragement of preservation, upkeep, protection and care.
4. Greater public interest and enthusiasm in overall community beauty, appearance, cleanliness and order.

B. Establish standards for new construction and development with respect to, but not limited to, buildings, streetscapes and landscapes.

C. Encourage creative nonmonotonous community designs utilizing design professionals. (Ord. 2005-51, 6-14-2005)

8-15-2: APPLICABILITY:

A. The provisions of this code shall apply to:

1. Building permits for new construction applied for after the execution hereof; and/or
2. Building permits for additions to existing commercial or industrial buildings where the permit is applied for after the execution hereof and where the cumulative addition(s) is equal to ten percent (10%) of the floor area or two hundred (200) square feet, whichever is more; and/or
3. The standards in this code shall be prorated when being applied to additions to all principal buildings or major reconstruction (i.e., 25 percent of the facade is removed

and/or different type of facade material is used and/or if the size of windows/doors are being modified by more than 25 percent) done tononresidential or attached single-family or multi-family buildings.

4. Additions and/or major facade work shall be assessed on a cumulative basis (i.e., if a 10 percent modification is conducted at one time and later another 10 percent modification is made, the cumulative impact is 20 percent and therefore, a 20 percent compliance ratio is expected).

B. The provisions of this code shall not apply to:

1. Industrial accessory structures. However, all accessory structures should complement the main structure.
2. Those buildings where siding is being replaced with similar siding materials.
3. Any PUDs already approved prior to the adoption of this code unless so stipulated in the PUD.

C. The provisions of this code shall be deferred until May 1, 2009, for lots located within the Fox industrial park. (Ord. 2005-51, 6-14-2005)

8-15-3: PROCEDURES:

- A. The city building official, or his/her designee, shall review the plan and/or drawing of the exterior design of every building and site to be constructed in the city for compliance with this code, prior to the issuance of a building permit. Building permits shall only be issued upon authorization of the city building official.
- B. Any appeals to this code or the city building official's determination of compliance with this code, shall be made in writing and submitted to the city building official. The city building official shall direct such requests to the facade committee, who shall make a recommendation to the city council. The city council's decision shall be final.
- C. The facade committee shall consider the following points prior to providing the city council with a written recommendation:
 1. Will the objectives outlined in section [8-15-1](#) of this chapter be met if the requested deviations are granted?

2. Is there a particular physical condition of the specific property and/or building(s) involved that would create a particular hardship to the owner, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out?
3. Will granting the requested deviation from these regulations be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located?
4. Will granting the requested deviation impair an adequate supply of light and air to buildings on the subject property or to the adjacent property?
5. Will granting the requested deviation increase the danger to the public safety, or substantially diminish or impair property values within the neighborhood? (Ord. 2005-51, 6-14-2005)

8-15-4: DEFINITIONS:

ACROSS THE STREET: A lot with a side yard property line, when projected across the street, intersects the front property line of the subject lot.

ADJACENT TO: Lots sharing a side yard property line.

CONTIGUOUS LOT: Shares a common property line extended across the street with such lot.

FRONT FACADE: The net surface area, excluding windows, doors and garages, that faces a street and includes a main entry to the building.

MAJOR ARCHITECTURAL FEATURES: Covered porches, boxed out bays/projections, decorative dormers, Juliet balconies, metal roofs. (10 percent credit for each)

MASONRY PRODUCTS: Brick, stone, split face brick or architectural blocks.

PREMIUM SIDING MATERIAL: Masonry products, cultured stone, natural wood siding and synthetic stucco. (Ord. 2005-51, 6-14-2005)

8-15-5: CRITERIA FOR APPEARANCE:

- A. General: Creativity and ingenuity in applying the standards and guidelines listed in this code are encouraged. Likewise, ingenuity and creativity, while considering deviations to the standards and guidelines of this code, are encouraged.

B. Landscape And Site Treatment:

1. The provisions of the city of Yorkville's landscape ordinance shall apply.
2. Exterior lighting, when used, shall enhance the building design and the adjoining landscape. Lighting standards and fixtures shall be of a design and size compatible with the building and adjacent areas. Lighting shall be restrained in design and excessive brightness and brilliant colors avoided. Maximum illumination at the property line shall not exceed 0.1 foot-candle and no glare shall spill onto adjacent properties or rights of way.
3. The provisions of this chapter in regards to bulk regulations, standards and off street parking; relating to trees and shrubs; all other ordinances, or portions of ordinances, which directly affect appearance, shall be a part of the criteria of this subsection.

C. Residential:

1. Single-Family Detached And Duplexes:

- a. Unless stated otherwise within this chapter, no residential dwellings shall be similar in appearance unless two (2) or more buildings of dissimilar design separate the buildings.
- b. A newly constructed residential building shall be dissimilar in appearance to another residential building across the street from, or adjacent to the newly constructed building.
- c. A residential dwelling on a corner lot is not considered similar to one adjacent to it if the two (2) dwellings face different streets.
- d. On cul-de-sacs not more than two (2) dwellings shall be similar in appearance on any lots having front lot lines contributing to the arc of the cul-de-sac.
- e. For the purpose of this section, "similar in appearance" shall mean a residential building, which is identical to another, in combination with any four (4) or more of the following architectural characteristics:
 - (1) Roof type (gable, hip, mansard, gambrel, flat, combination).
 - (2) Height of roof ridge above finished grade of property.
 - (3) Dimensions (height and length) and shape of the facades facing the front lot line.
 - (4) Locations and sizes of windows, doors (including garage doors) and ornamental work on the facade facing a front lot line.
 - (5) Type of facade, materials (i.e., brick veneer, lapped horizontal siding, half timber, board and batten, shakes, etc.) on the facade facing a lot line.
 - (6) Porch dimension and elevation treatment.

f. A building is considered dissimilar when less than four (4) of the above characteristics exist among subject dwellings.

2. Single-Family Attached And Multiple-Family: The intent of this chapter, specifically pertaining to single-family attached and multi-family buildings, is to create a "sense of community". This can be achieved through careful site planning as well as thoughtful building design and color selections.

a. The building footprint of single-family attached and multi-family buildings can be the same. However, the facade treatments must vary between buildings that are adjacent to one another. Facade variations may include building materials or colors in any one or more of the following:

(1) Siding;

(2) Masonry;

(3) Roof;

(4) Paint/stain;

(5) Doors.

b. Sites where requested setbacks and yards are less than the minimum zoning district requirements must provide an interesting relationship between buildings.

c. Parking areas shall be treated with decorative elements, building wall extensions, plantings, berms and other innovative means so as to largely screen parking areas from view from public ways.

d. The height and scale of each building shall be compatible with its site and adjoining buildings.

e. Newly installed utility services, and service revisions necessitated by exterior alterations, shall be underground.

f. The architectural character of the building shall be in keeping with the topographical dictates of the site.

g. Masonry products shall be incorporated on the front facade of at least seventy five percent (75%) of the total buildings in the approved community, and shall incorporate a minimum of fifty percent (50%) premium siding material on the front facade. No less than half (25 percent of the total) of the minimum "premium siding" requirements must incorporate masonry products. Credit toward the remaining "premium siding" requirement can be earned via the use of major architectural features. Each major architectural feature used will earn a credit of ten percent (10%) towards the calculation of the minimum premium siding requirement.

Example: A building with thirty percent (30%) masonry on the front elevation will require the use of two (2) "major architectural features" ($10\% + 10\% = 20\%$) to comply with the total "fifty percent (50%) premium siding material on the front facade".

- h. Pedestrian features/amenities, such as covered walkways, street furniture, and bicycle rack facilities are encouraged.
- i. Common open space and outdoor features are encouraged.

D. Nonresidential:

1. General Provisions:

a. Relationship Of Buildings To Site:

- (1) The site shall be planned to accomplish a desirable transition with the streetscape, and to provide for adequate planting, pedestrian movement, and parking area.
- (2) Site planning in which setbacks and yards are in excess of the minimum zoning district requirement is encouraged to provide an interesting relationship between buildings.
- (3) Newly installed utility services, and service revisions necessitated by exterior alterations, shall be underground.
- (4) The architectural character of the building shall be in keeping with the topographical dictates of the site.
- (5) In relating buildings to the site, the provisions of the zoning ordinance in regard to bulk regulations, standards, and off street parking shall be part of this criteria. This shall also apply to subsection D1b of this section.

b. Relationship Of Site To Adjoining Area:

- (1) Adjacent buildings of different architectural styles shall be made compatible by such means as screens, site breaks and materials.
- (2) Attractive landscape transition to adjoining properties shall be provided.
- (3) Harmony in texture, lines and masses is required.
- (4) The height and scale of each building shall be compatible with its site and adjoining buildings.

2. Building Design:

a. Commercial, Office And Institutional Uses:

(1) Guidelines For Sites That Have Existing Buildings:

- (A) When adding an addition, distinct color variation to an existing building is prohibited.

(B) When a site abuts a county, state or federal highway, and when an existing building is modified, the property owner shall be required, to the greatest extent possible, to meet the standards set forth below for the entire building.

(C) If an additional building(s) is placed on the site, the additional building(s) shall, to the greatest extent possible, complement the architectural style of the principal building.

(D) Any additional building(s) placed on the site shall, to the greatest extent possible, complement the materials and/or colors of the principal building on the site.

(2) Guidelines For Unbuilt Sites:

(A) Masonry products or precast concrete shall be incorporated on at least fifty percent (50%) of the total building, as broken down as follows: The front facade shall itself incorporate masonry products or precast concrete on at least fifty percent (50%) of the facade. Any other facade that abuts a street shall incorporate masonry products. The use of masonry products or precast concrete is encouraged on the remaining facades.

(B) Creative layout and design of the buildings within the commercial, office or institutional development is encouraged. Use of windows or the impression of windows on all sides of the building and the utilization of a campus style layout are encouraged. Creative layout and design will help to decrease the overall mass of the development, to prevent monotony, and to improve the aesthetic quality of the development.

(C) The height and scale of each building shall be compatible with its site and adjoining buildings.

(D) Outlots shall reflect the style, materials, and/or design elements of the main building. In cases where the main building does not meet the design guidelines and standards (i.e., in terms of visual design materials and layout of the building), new outlot development proposals will be reviewed using the guidelines and standards contained in this chapter.

(E) Pedestrian scale features/amenities, such as solid colored awnings, covered walkways, windows, street furniture, bicycle rack facilities and clearly defined entranceways are encouraged.

(F) Common open space and outdoor seating areas are encouraged within commercial, office and institutional developments.

(G) The location of parking lots in a manner that is logical, safe and pedestrian friendly is encouraged. In this respect, the location of parking lots in the rear or side of a building is encouraged.

(H) Parking areas shall be treated with decorative elements, building wall extensions, plantings, berms and other innovative means so as to largely screen parking areas from view of public ways.

(I) The location of drive-through facilities, including drive-through lanes, bypass lanes, and service windows, adjacent to a public right of way are not desirable and are discouraged.

(J) Loading bays for commercial and office uses shall not be located in the front of a building or in the area abutting a public right of way.

(3) Standards:

(A) All commercial, office and institutional buildings shall consist of solid and durable facade materials and be compatible with the character and scale of the surrounding area.

(B) Masonry products shall not be painted.

(C) Trash enclosures shall be located in areas that are easily accessible by service vehicles, but minimally exposed to the public street. Screening these enclosures with a material that is compatible with the principal commercial, office or institutional building is required.

(D) Rooftop mechanicals shall be screened and enclosed in a manner that masks the equipment from view from all sides and is of the same character and design as the structure. Architectural features such as parapet walls and varying rooflines, are encouraged. Ground level mechanicals shall be screened by landscaping and/or fencing, as appropriate and shall be maintained year round.

(E) When loading bays are placed where they can be viewed from a county, state or federal highway or from a city street designated on the comprehensive plan as an arterial or collector road, landscaping between the building and the street shall be such that within five (5) years of installing the landscaping, it can be reasonably assumed that the bay doors will be screened from the road.

E. Industrial Uses:

1. Guidelines:

- a. Masonry products or precast concrete shall be incorporated on at least fifty percent (50%) of the total building, as broken down as follows: The "front facade" (defined as that facade that faces a street that includes a main entry to the building) shall itself incorporate masonry products or precast concrete on at least fifty percent (50%) of the facade. Any other facade that abuts a street shall incorporate masonry products or precast concrete. The use of masonry products or precast concrete is encouraged on the remaining facades. Where precast concrete panels or split face block is utilized, the use of colors, patterns, or other architectural features within these panels/blocks is encouraged.
- b. Building entryways shall be clearly identified. Building components, such as windows, doors, eaves and parapets shall be in proportion to one another.

- c. The location of parking lots in a manner that is logical, safe, and pedestrian friendly is encouraged. In this respect, the location of parking lots in the rear or side of a building is encouraged.
- d. Loading bays for industrial uses may be placed along the front of the building or the side(s) abutting a public right of way when there is an industrial use across from that facade. Otherwise, loading bays for industrial uses shall be discouraged from being placed in the front of the building or in the area abutting a public right of way. When loading bays are placed where they can be viewed from a county, state or federal highway or from a city street designated on the comprehensive plan as an arterial or collector road, landscaping between the building and the street shall be such that within five (5) years of installing the landscaping, it can be reasonably assumed that the bay doors will be screened from the road.

2. Standards:

- a. Industrial buildings shall consist of solid and durable facade materials and be compatible with the character and scale of the surrounding area.
- b. Industrial buildings with facades greater than one hundred feet (100') in length shall incorporate recesses, projections, windows or other ornamental/architectural features along at least thirty percent (30%) of the length of the facade abutting a public street in an effort to break up the mass of the structure.
- c. Trash enclosures shall be located in areas that are easily accessible by service vehicles but minimally exposed to the public street. Screening these enclosures with a material that is compatible with the principal industrial building is required.
 - (1) Rooftop mechanicals shall be screened and enclosed in a manner that masks the equipment from view from all sides and is of the same character and design as the structure. Architectural features such as parapet walls and varying rooflines are encouraged. Ground level mechanicals shall be screened by landscaping and/or fencing, as appropriate.

F. Signs: The provisions of this subsection are meant to supplement the city's sign code. All provisions of the sign code are in full force. Where conflicts between the two (2) regulations may occur, the more stringent requirement will apply.

Wall signs shall be part of the architectural concept. Size, color, lettering, location and arrangement shall be harmonious with the building design, and shall be compatible with signs on adjoining buildings. (Ord. 2005-51, 6-14-2005)

2009

Design Guidelines

United City of Yorkville

5/26/2009

Ordinance No. 2009- 28

AN ORDINANCE REPEALING DESIGN GUIDELINES FOR SOUTHERN STUDY
AREA OF CITY'S COMPREHENSIVE PLAN AND ADOPTING NEW COMPREHENSIVE
PLAN DESIGN GUIDELINES FOR THE UNITED CITY OF YORKVILLE

WHEREAS, the United City of Yorkville (the "City") is a non home-rule municipality in accordance with the Constitution of the State of Illinois of 1970 and has the powers granted to it by law;

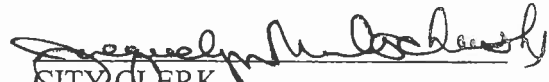
WHEREAS, the City Council of the United City of Yorkville has discussed and considered that it is in the best interests of the City to repeal the Design Guidelines for Southern Study Area of City's Comprehensive Plan in its' entirety and adopt new Design Guidelines;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, as follows:

Section 1. That the United City of Yorkville Resolution No. 2008-45 – Resolution Re-Adopting Design Guidelines from the Repealed Southern Study Area Comprehensive Plan, which was approved by the Corporate Authorities on December 9, 2008 is hereby repealed in its' entirety, and the United City of Yorkville Design Guidelines, a copy of which is attached as Exhibit A, is hereby approved in its stead.

Section 2. This Ordinance shall be in full force and effect upon its passage, approval, and publication as provided by law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this 26
day of May, 2009.


CITY CLERK

ROBYN SUTCLIFF ys
GARY GOLINSKI gg
WALTER WERDERICH ww
ROSE ANN SPEARS rs

DIANE TEELING dt
ARDEN JOE PLOCHER ap
MARTY MUNNS mm
GEORGE GILSON, JR. gg

Approved by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this 26
day of MAY, 2009.


MAYOR

Table of Contents

Introduction.....	1
Purpose of Guidelines.....	1
Applicability.....	1
Principles Overview.....	2
Overall Planning Principles	3
PRINCIPLE 1: Preserve/Enhance Open Space and Environmental Features and Rural Character.....	3
Preserve Existing Vegetation	3
Create Recreational Opportunities	4
PRINCIPLE 2: Promote Connectivity Between Land Uses and Adjacent Developments	4
Develop Comprehensive Master Plans.....	4
Provide Continuous Paths	4
PRINCIPLE 3: Provide Transitions Between Land Uses	5
Building Mass Hierarchy.....	5
Use of Open Space and/or Landscaping as a Transition Zone	5
Site Planning Principles.....	6
PRINCIPLE 4: Incorporate Existing Site Conditions into Development Plans.....	7
Drainage Patterns	7
Topography and Soils.....	7
Vegetation	7
PRINCIPLE 5: Provide a sense of architectural interest and unique identity throughout the City	7
Buildings	8
Retaining Walls	12
PRINCIPLE 6: Enhance Pedestrian Experience and Establish Sense of Place Through Careful Design and Location of Open Spaces	13
View Corridors	13
Parks and Trails	13
Courtyards and Plazas	13
PRINCIPLE 7: Thoughtful Consideration of Vehicular and Pedestrian Circulation within Individual Developments	14
Vehicular Circulation	14
Pedestrian Circulation	15
Pedestrian Circulation in Parking Lots.....	16
Accessibility	16
PRINCIPLE 8: Appropriate Design of Parking Lots, Utilities, Service Areas and Detention Areas to Reduce the Negative Impact of Typically Unattractive Site Components	17

Table of Contents

Parking	17
Substations/Water/Wastewater Stations	17
Detention	18
Location of Utilities.....	18
Location of Service/Delivery/Trash/Storage Areas.....	19
Landscape Principles	20
PRINCIPLE 9: Provide a Unified Landscape Treatment throughout the City through the Use of Consistent Right-of-Way and Buffer Treatments	20
Landscape Character	20
“Gateway” Corridor Landscape Treatments.....	20
General Planting Requirements	21
PRINCIPLE 10: Enhance the Aesthetic Appearance of Development and Lessen the Impact of Undesirable Site Components through the Effective Use of Landscaping	21
Intersections and Site Entrances	21
Landscaping Adjacent to Non-Residential Buildings	21
Unimproved Pad Sites	22
Dumpster/Trash Receptacles/Outdoor Storage	22
Community Character Principles.....	23
PRINCIPLE 11: Establish Unique Gateway Entry Features to Identify the City	23
PRINCIPLE 12: Establish a Comprehensive Theme and a Consistent Family of Lighting and Site Furnishings for all Public and Private Spaces.....	24
Architecture	24
Site Furnishings	25
Public Art Program.....	26
PRINCIPLE 13: Create a Cohesive Signage Program.....	26
Signage Design.....	26
Project Entry and Monument Signs.....	27
Neighborhood Entry Signs	27
Directional Signs	27
Wall Signs	28
Projecting Signs.....	28
Window Signs	28
Street Address Markers	28

Introduction

These Design Guidelines identify and address site development, architecture, and landscape issues while providing general guidance to developers and City staff creating and evaluating land development proposals. As a result, future development can respect and enhance the character and quality of life in the United City of Yorkville.

The key objectives of the Design Guidelines are to:

- Educate the public, developers, property owners, and plan reviewers as to the desired and expected vision for development in Yorkville.
- Present clear principles and priorities for achieving the vision for the City.
- Create a sense of place.
- Increase connectivity and focus commercial activity into defined nodes.
- Illustrate specific techniques to use when planning and developing with the City.

Purpose of Guidelines

The Design Guidelines are intended to maintain the unique character and acknowledge the heritage of Yorkville. In order to respect these objectives, there is a need to establish and maintain certain standards by which future development within Yorkville may occur. While the guidelines provide specific recommendations for development, they cannot cover all circumstances. It is the intent of the design guidelines to provide flexibility while achieving a sense of continuity and visual harmony with the United City of Yorkville.

These design guidelines illustrate the proposed community character and establish an overall framework and comprehensive set of principles to allow the community to develop in an orderly and cohesive manner. They establish criteria for overall community planning, individual site planning, landscape concepts, signage design, as well as the architectural style and design for commercial, residential and civic areas. The guidelines outline ways to maintain the inherent character of the City while at the same time enabling individual developments to be distinct from one another.

Applicability

All lots which have buildings constructed upon them prior to the date of this document are exempt, except for any property which is being substantially redeveloped, rezoned, or which a special use is being requested. Substantial redevelopment consists of any construction activity that will result in a greater than 25% increase to the existing square footage or the addition of twelve (12) or more parking spaces. These design guidelines apply to all new construction projects (residential, commercial, industrial, civic, etc).

All site development proposals are required to be submitted to the City for review. Further, it is the applicant's responsibility to ensure compliance with the latest revisions to these guidelines. Copies will be made available upon request to the City. The City will review all proposed site plans for compliance with the established regulations/guidelines contained herein.

Principles Overview

The design guidelines focus on the overall scale of the City while also considering individual sites. In addition to general guidelines, detailed design components such as site furnishings, specific landscaping, architectural styles and themes for community identity are presented to further define the character of Yorkville.

The Design Guidelines are divided into four categories of design principles: Overall Planning, Site Planning, Landscaping and Community Character.

Overall Planning

One of the objectives of the Overall Planning principles is to respect existing environmental and cultural features and outlines ways development can appropriately occur without compromising the integrity of the existing features. Another critical component of the Overall Planning principles is ensuring coordinated, comprehensive developments which are connected and incorporate appropriate transitions between various land uses.

Site Planning

The objective of the Site Planning principles is to address individual developments and provide standards for creating attractive projects. The Guidelines outline specific techniques to achieve the desired aesthetics within individual developments.

Landscaping

The Landscaping principles outline requirements for landscape treatments for developments with respect to buffers, right of way treatments, screening and site enhancement.

Community Character

A fundamental goal of the design guidelines is to create a cohesive vision that reflects the unique character of Yorkville. By establishing a vision/theme for public and private properties within the City, a sense of character will be evident throughout the entire community. The Community Character principles outline specific design features such as architectural elements, gateways, major intersection enhancements, site furnishings, light fixtures, and signage criteria recommended to maintain a consistent and unique identity for the City. The character principles are intended to allow for variation between individual developments while maintaining consistent features throughout the City.

Overall Planning Principles

Overall Planning Principles

The Overall Planning Principles address issues that impact development within the City, primarily focused upon issues related to land use with the City.

PRINCIPLE 1: *Preserve/enhance open space, environmental features and rural character*

PRINCIPLE 2: *Promote connectivity between land uses and adjacent developments*

PRINCIPLE 3: *Provide transitions between land uses*

Desirable Elements:

The following elements shall be incorporated into the developments within the City:

- Preservation of existing trees
- Trailheads signifying pedestrian pathways
- Shared access points to development
- Connections to adjacent properties to incorporate future development
- “Step down” of building height with respect to adjacent, lower intensity land uses
- Protect and preserve right-of-way for future expansion
- Incorporate exclusive turn lanes into developments and at intersections

Undesirable Elements:

The following elements are discouraged in developments within the City:

- Destruction or loss of natural open space and environmentally sensitive areas
- Fragmented open space
- Numerous traffic signals and uncoordinated driveway connections
- Curb cuts for individual businesses
- Drastic change in intensity of land use within developments and among adjacent properties

PRINCIPLE 1: Preserve/enhance open space, environmental features and rural character

One of the primary goals of the design guidelines is to preserve the unique character of Yorkville. Several strategies can be implemented in order to protect the open space that currently exists and enhance the quality of open space throughout the City.

Preserve Existing Vegetation

Recognizing that the existing tree cover throughout Yorkville is a significant benefit to the character of the City, emphasis shall be placed on preservation of existing trees.

- When developing, grading should be managed in an effort to reduce mass grading activities that would negatively impact existing tree cover.
- Site planning should incorporate strict preservation requirements, focusing development into clusters that protect existing tree stands. (Refer to PRINCIPLE 4)
- Utilize existing vegetation as a natural screen for parking and other elements that need to be screened from public view. (Refer to PRINCIPLE 8)



Existing tree cover in Yorkville

Overall Planning Principles

Create Recreational Opportunities

Yorkville's existing and proposed open space network provides a significant opportunity to establish a comprehensive trail system and expand the City's recreational open space system. Thoughtful design and incorporation of a coordinated trail system will provide critical linkages between developments and open spaces.

- Provide public trailheads within or adjacent to new development to serve as a means to integrate development into the open space system.
- Careful consideration should be given to trail connections within individual site plans to encourage alternative modes of transportation.

PRINCIPLE 2: Promote connectivity between land uses and adjacent developments

Provide a comprehensive approach to development that focuses on developing master plans that provide vehicular and pedestrian connections between adjacent properties. Consideration should be given to future development on and off-site. Planning for future expansion and connection helps create a sense of organization and assists in mitigating the traffic and number of access points along major roadways.

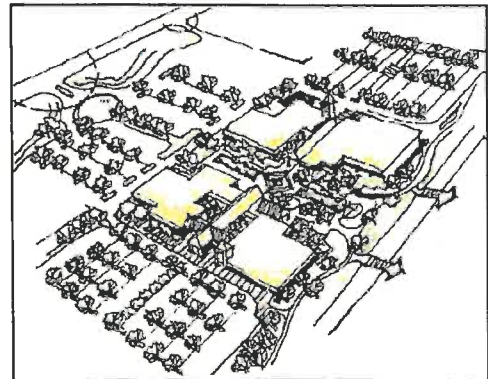
Develop Comprehensive Master Plans

Master plans should be developed to address relationships with adjacent properties, including but not limited to; the impact on circulation, building orientation, building massing, building scale, drainage patterns, topography and existing vegetation.

Provide Continuous Paths

Having convenient and easy access to a variety of activities and uses is important in creating a strong sense of community. Providing connections between developments and considering how future developments can be incorporated into the comprehensive plan is critical to the overall success of the City.

- Vehicular
 - In order to provide connections between developments while at the same time limiting the number of access points onto roadways, site plans shall be developed to incorporate connections to existing and future adjacent development.
 - Site planning of non-residential areas shall consider designing parking lot circulation to provide shared access points for adjacent developments, thus minimizing access points along major roadways.
 - Add street stubs for future development in residential areas to create continuous street networks.



Shared access points in a non-residential development

- Pedestrian
 - Proposed site plans shall incorporate pedestrian routes within the development as well as connections to adjacent development.
 - Pedestrian links shall be provided to activity generators such as schools, parks, and shopping centers.
 - Buildings and plazas should be oriented to clearly identify linkages to adjacent developments.



Pedestrian link to a local park in Yorkville

PRINCIPLE 3: Provide transitions between land uses

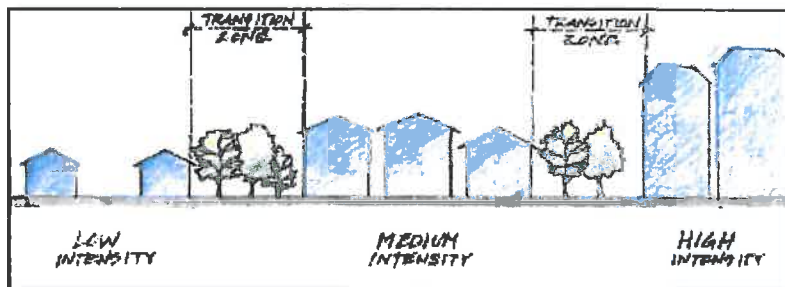
Providing an appropriate means of transition between different land use intensities is important for creating compatible land uses within the City. This can be done a variety of ways, ranging from the architectural style, scale and location of buildings, to the use of open space and landscaping.

Building Mass Hierarchy

- Incorporate medium intensity development between projects of low and high intensities.
- Building massing and height should provide a “step down” effect as a transition between different land use intensities.
- Similar architectural styles may be incorporated on different land uses and various densities within a development.
- New buildings should be compatible in relation to scale and materials of existing adjacent developments.
- In residential developments, higher densities should be located closest to core activity areas.

Use of Open Space and/or Landscaping as a Transition Zone

When transitions cannot be achieved through the variety of techniques listed previously, landscaping and/or open space may be used to provide a transition. Utilizing any existing vegetation provides a mature, natural buffer. If existing vegetative buffers are not possible, utilize landscaping to screen and buffer residential uses from high intensity, non-residential uses.



To transition between different intensities, use landscaping and a “step down” in building mass

Site Planning Principles

The Site Planning Principles address issues that affect the way that individual sites should be developed in order to blend in with the existing character of the City.

PRINCIPLE 4: *Incorporate existing site conditions into development plans*

PRINCIPLE 5: *Provide a sense of architectural interest and unique identity throughout the City*

PRINCIPLE 6: *Enhance pedestrian experience and establish sense of place through careful design and location of open spaces*

PRINCIPLE 7: *Thoughtful consideration of vehicular and pedestrian circulation within individual developments*

PRINCIPLE 8: *Appropriate design of parking lots, utilities, service areas and detention areas to reduce the negative impact of typically unattractive site components*

Desirable Elements:

The following elements shall be incorporated into the developments within the City:

- Richness of building surface and texture
- Articulated mass and bulk
- Clear visibility of entrances
- Well organized commercial signage
- Landscaped and screened parking
- Special paving identifying intersections and crosswalks
- Pedestrian friendly streetscapes and open spaces
- Thoughtful consideration of circulation
- Screening of mechanical equipment, service areas, parking lots and any undesirable elements
- Step-down of building scale along pedestrian routes and building entrances
- Recognition of building hierarchy
- Formal entry plazas and courtyards
- Detention used as an amenity
- Existing trees incorporated into development
- Multi-planed, pitched roofs
- Roof overhangs and arcades
- Provide defined entrance roads into developments and provide adequate vehicle storage bays at egress drives

Undesirable Elements:

The following elements are discouraged in developments within the City:

- Concrete detention basins
- Large, blank, unarticulated wall surfaces
- Visible outdoor storage, loading, equipment and mechanical areas
- Disjointed parking areas and confusing circulation patterns
- Large expanses of parking
- Service entrances near major entries and/or that are easily visible from roadway
- Poorly defined site access points
- Large “boxlike” structures

PRINCIPLE 4: Incorporate existing site conditions into development plans

New development shall protect the existing environmental features throughout the City and minimize the impact of the development on the site and the surrounding land.

Drainage Patterns

Proposed site plans shall incorporate existing drainage patterns on site in an effort to avoid significantly altering the manner in which drainage flows offsite. At the time of site plan submittal to the City, a drainage and detention plan must be submitted. The location and type of drainage facilities must be shown.



Drainage swale utilizes natural drainage patterns

Topography and Soils

- Minimize cut and fill on site to reduce effects upon the natural drainage pattern and natural character of the site.
- Minimize disturbance in areas of significant existing vegetation. If necessary for site development, consider using tree wells and retaining walls to preserve existing trees where possible.
- Development on unsuitable soils is prohibited. Incorporate unsuitable soils into an open space component of the site plan.
- Stockpile top soil for later use in landscape areas.



Work with existing topography to minimize cut and fill

Vegetation

- Preserve existing trees. Every effort should be made in the planning process to incorporate quality, existing trees into the site plan design. Any quality, existing tree that occurs within the specific buffer yard as required per PRINCIPLE 9 shall remain undisturbed and be protected as part of the landscape buffer.
- Preservation and enhancement of natural features, including native plant materials, is encouraged.

PRINCIPLE 5: Provide a sense of architectural interest and unique identity throughout the City

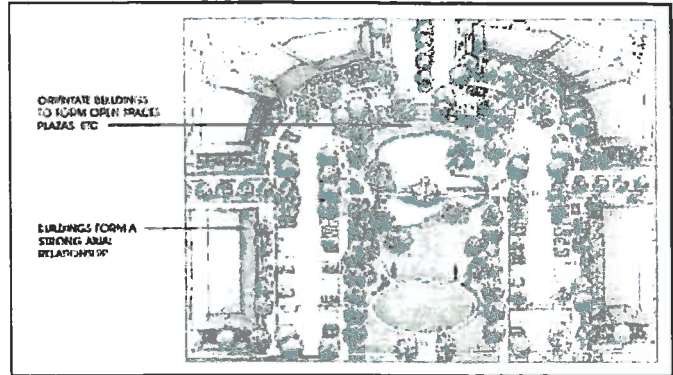
The architectural standards are provided to preserve and guide the character of architecture throughout the City while allowing for individual architectural interpretation. All architectural proposals must be compatible with the vernacular of the northern Illinois region. In order to ensure compliance with the following architectural guidelines, the City requires that building elevations, plans, materials samples, color samples, and illustrations be submitted for review and approval prior to the commencement of building construction.

Site Planning Principles

Buildings

- Orientation: Building orientation should take advantage of the building to site relationship. The orientation and location of buildings defines open spaces and circulation corridors.

- Align focal architectural elements along major view or circulation axis.
- Define pedestrian spaces and streetscapes with building orientation.
- Create view corridors between buildings, plazas, courtyards and adjacent buildings.



Use building orientation to define main activity areas

- Create pedestrian spaces and plazas by varying building facades
- Cluster buildings whenever possible, creating opportunities for plazas and pedestrian malls.
- Prevent long, linear facades from dominating the view.
- Buildings adjacent to Routes 30, 34, 47, 71, and 126 must face the primary roadway. No service access, storage, etc. is allowed to face Routes 30, 34, 47, 71, and 126.
- Develop sites in a comprehensive and coordinated manner to provide order and compatibility (especially in the case of large sites which will be developed in phases).
- The exterior character and orientation of all buildings and the spaces they define should encourage and enhance pedestrian activity.
- Attention should be given to the quality and usability of the outdoor spaces formed by the exterior of a dwelling and adjacent dwellings. Avoid locating the private area of one dwelling adjacent to the public area of an adjacent dwelling.



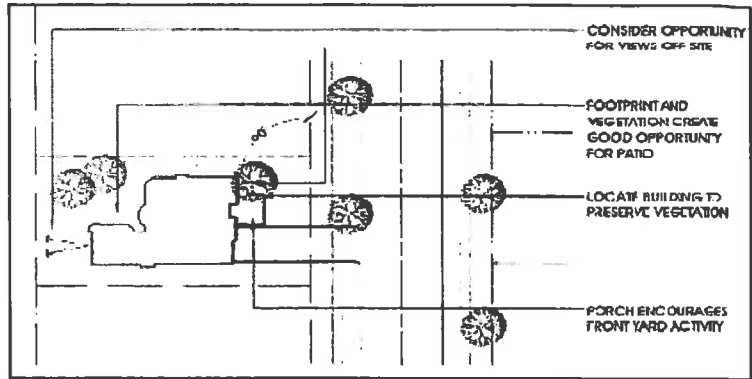
- Buildings with a south orientation are encouraged in order to utilize passive solar heating. Proper placement of windows and proper overhangs (which block the sun in the summer and let in the sun in the winter) are necessary as part of a passive solar design in order to take advantage of the heating benefits in the winter and cooling benefits in the summer.

Orient primary building on axis and use as focal points

- In multi-family residential developments, buildings should be oriented to create functional outdoor spaces.
 - In residential neighborhoods, consideration should also be given to the views from adjacent dwellings and public spaces.
- Facades: Building facades should achieve a high level of visual interest when viewed from automobile and pedestrian vantage points.

Site Planning Principles

- In residential developments, front yards and porches should be used to create a sense of place and community.
- Natural stone and masonry materials are to be used on the lower portions of buildings to create a visual anchor to the ground and provide interest at the pedestrian level.
- Vary the planes of exterior walls in depth and/or direction.



Residential building orientation creates sense of place

- Wall planes shall not run in a continuous direction more than 65 feet without an offset of at least 3 feet.
- Wall planes of more than 20 feet high are prohibited without incorporating meaningful techniques, such as awnings or a change in building material, to break up the perceived building mass.
- Awnings are encouraged along facades to provide color, shade and architectural interest. Where awnings are used along a row of continuous buildings, a consistent form, material, color, location and mounting arrangement must be used.

- Awnings should be located to provide a consistent minimum 8 feet vertical clearance, with a maximum generally not to exceed 12 feet.
- Colors of awnings must complement the buildings.
- Incorporate the awnings along with any signage to provide a uniformly designed building façade.



Awnings in Downtown Yorkville

- Signs on awnings are permitted.
- Internally illuminated awnings are prohibited
- Awnings and canopies may be made of sheet metal or canvas membrane. Plastic or vinyl awnings are not permitted.

- In new residential neighborhoods, houses shall not repeat same elevations without two lots of separation. Houses across the street from each other and back-to-back corner lots shall not be of the same elevation.
- In residential areas, garages should not dominate the street view. Rather, provide parking and garages to the side or rear of lots or set the garage face back from the primary façade of the house. Avoid allowing the garage to become the primary architectural feature.

- Roof Treatment: Rooftops should be considered important design elements as viewed from a variety of vantage points such as at ground level, from other buildings and from adjacent

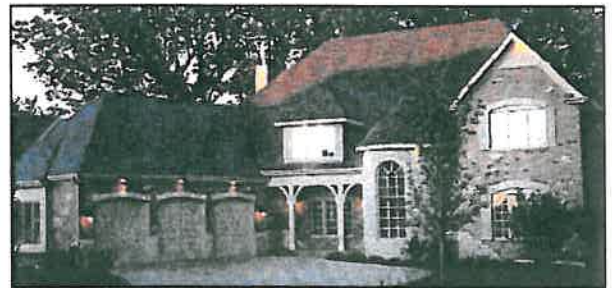
perimeter roadways. A well-composed “roofscape” achieves an interesting skyline without becoming overly busy or contrived. Roof forms should serve as natural transitions from the ground level to intermediate masses to the tallest masses and back to the ground. Form should also be interesting when seen from above in adjacent buildings.

- Materials and Colors: Visual continuity in major building materials and colors is desired throughout the City. Specific criteria include the following:

- Material samples of all proposed buildings must be provided for review and be approved by the City.
- Materials should be consistent with the Community Character principles outlined in these guidelines.
- Wall materials that are muted, earth tone in color and have texture are to be used
- Reserve the use of strongly contrasting materials and colors for accents, such as building entrances, railings and trim. Avoid an excessive variety of façade materials.
- Avoid using highly reflective materials and surfaces such as polished metal, which generate glare, particularly at the pedestrian level.
- Materials which may be incorporated include: native stone, brick, stucco and textured concrete. Alternative materials that achieve similar looks and are of high quality and low maintenance may be considered.
- Common materials shall be located on all sides of the building with the exception of service areas not visible from a public street.
- Coordinating materials within a development can tie together buildings of different sizes, uses, and forms.
- In new residential neighborhoods at the time of initial building permit, houses shall not be the same color unless there are at least two lots of separation. Houses across the street from each other are not permitted to be the same color.
- Use contrasting but compatible building materials and textures to unify exterior building elements and to create depth, proportion and scale.
- In residential developments, building should complement each other by using materials and colors within the same “family”.
- Building colors should be derived from, and related to, the finishes of primary building materials.



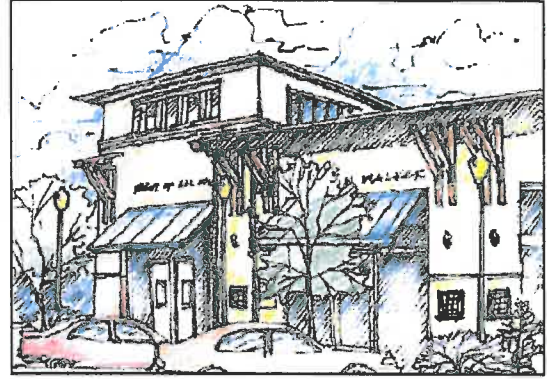
Varying roofline breaks up long expanse of building facade



Residential development with side oriented garage

- Height: The overall appearance of development shall be low and horizontal, with building heights throughout the community generally low to medium scale. Building heights are expected (and desired) to vary to ensure visual interest.

- Consider the use of taller buildings and/or elements to highlight significant intersections and pedestrian nodes.
 - Building heights shall be determined in a manner which enhances an overall residential quality.
 - Maintain compatible relationships with adjacent dwellings and street frontages.
 - Building heights shall be responsive to heights of homes located on slopes above and below the dwelling.
 - Sight lines to greenbelts, open areas, water features, and scenic horizon views are to be optimized and maintained to the fullest extent possible by minimizing the building height and obstruction.
 - Scenic view compatibility shall be considered in determining building height.
 - Within a neighborhood, a combination of one, one and a half, and two story dwellings is encouraged to add diversity to the streetscape. Entire neighborhoods or blocks of continuous two story dwellings are discouraged.
 - For multilevel dwellings on corner lots, locate a one-story element of the dwelling at the street corner to help reduce the feeling of enclosure in the neighborhood.
 - Two-story dwelling can best relate to a neighboring one story if it contains a one-story element.
-
- Scale: Buildings should appear to be of a “pedestrian” or “human” scale. When components in the built environment are designed in such a way that people feel comfortable, then human scale has been achieved. In general, these means that the size, patterns, textures, forms and overall three-dimensional composition can be appreciated at the pedestrian level.
 - Vary the height of buildings, and/or building elements where feasible, so they appear to be divided into distinct elements or masses.
 - Avoid large-scale buildings that are “box-like” and typically dominate a site.
 - Use building mass appropriate to the site. Place buildings with larger footprints, height and massing in core activity areas or in the heart of the development near similar densities. By doing so, the impact on adjacent land uses will be reduced.
 - In residential areas, the relationship between the lot size, street width and building scale are important to creating a human scale. Elements such as trees, pedestrian path lighting and porches can aid in achieving human scale.



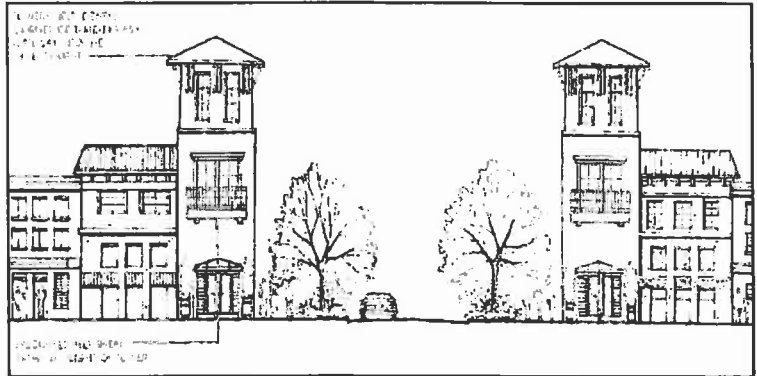
Pedestrian scale elements located along building facades



Front porch provides human scale element

Site Planning Principles

- Hierarchy: It is important to recognize that future projects will be developed using a variety of buildings with various uses. Vehicular and pedestrian traffic should be able to recognize the hierarchy of buildings from secondary buildings.
 - Primary Buildings: Primary buildings, such as major anchors, public buildings or major attractions, shall be located at prominent locations, anchoring a major view axis and serving as focal points in the community.
 - Gateway Buildings: Buildings at major entrances, corners, intersections, or along significant roads should use special architectural elements to help identify that location as a “gateway”. These elements also begin to define the sense of place for the community.
 - Special architectural features may include corner towers, cupolas, clock towers, balconies, colonnades or spires.
 - The use of vertical elements helps to frame the entrance and guide people into and through the development.
 - Entrances
 - Primary entrances should be easily identifiable and relate to both human scale as well as the scale of the building(s) they serve.
 - Wherever possible, entrances should be inviting without becoming dark.
 - Main building entrances should be designed to be clearly identifiable from primary driveways and drop-offs. Additionally, they should be visible from parking areas.



Gateway Buildings

Retaining Walls

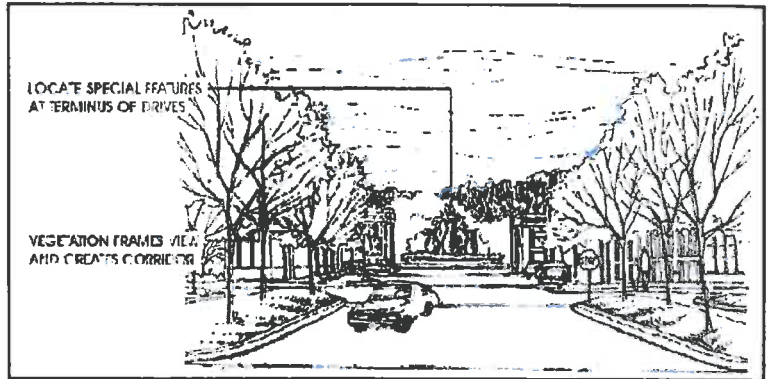
- All retaining walls must be faced (veneered) with masonry (stone, brick, stucco or approved equal).
- Retaining walls adjacent to or visible from any street shall not exceed 4 feet in height. Grade changes that require retaining walls exceeding 4 feet must be terraced with a minimum of 4 feet clear separation between each wall. Exceptions may be reviewed and approved by the City in order to preserve existing tree stands.
- Walls should be designed as an integral part of the dwelling design. Stone sizes should be consistent and laid in a horizontal course. Masonry materials shall match or complement the façade of surrounding buildings.
- Walls at intersections must not interfere with safe sight distances.

PRINCIPLE 6: Enhance pedestrian experience and establish sense of place through careful design and location of open spaces

The creation of open space throughout the City is an essential technique used to break up building facades. The use of such pockets of interest creates views into the various developments. A wide range of open spaces such as public gathering plazas, open “greens”, common play areas, neighborhood parks and natural preserves can be incorporated into development plans.

View Corridors

- Open space is considered a valuable amenity, therefore careful consideration of vistas into open spaces from residential lots, streets and drives is required.
- Maintain view corridors to provide vistas of amenities, natural features, open spaces and other significant elements.
- Create focal points at main entries, on axis with major circulation routes and pedestrian corridors to establish a strong identity and structure for the project.



View of amenity feature is framed by use of vegetation and road alignment, creating a signature element

Trails

- Properties developing in areas where trails are proposed as part of the City’s Shared Use Trail Plan, should construct these trail segments.
- Trail linkages should be provided from proposed neighborhoods to the City’s Shared Use Trail system, forest preserve trails, and adjacent developments.
- Trailheads should be incorporated in to developments to identify the City’s Share Use Trail System. Types of trailheads can range from simple signage or informational kiosk of the system to larger facilities with parking and public restroom facilities. The type desired will be determined by the location of the development.



Connecting trails from neighborhoods to shared use trail system

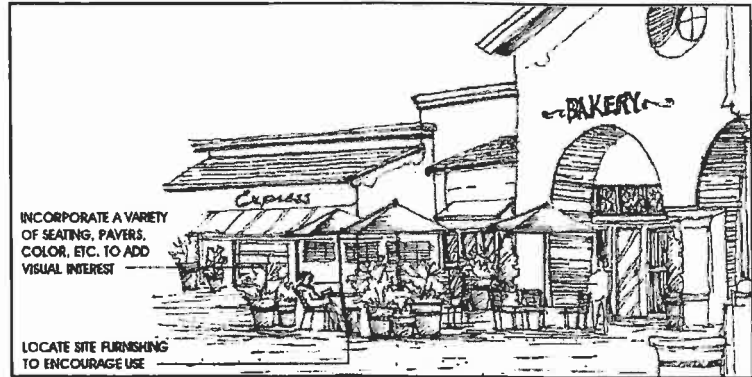
Courtyards and Plazas

Courtyards, plazas and terraces should be designed at a human scale and incorporated as public amenities around non-residential buildings. Interrupting building facades to create “outdoor rooms” as well as varying the width of walkways will help create pedestrian spaces. These pedestrian spaces will create opportunities for comfortable outdoor experiences and are critical in defining plazas and courtyards.

- Orient plazas and courtyards to views of site amenities such as open space, water features, sculptural elements or landscaped areas.

Site Planning Principles

- Consider opportunities to orient plazas and courtyards toward views of significant buildings or down long corridors.
- Wherever possible, create a sense of enclosure for outdoor seating areas. Such areas should be light and airy while providing a sense of safety from the elements.
- Add elements such as trees, water features, a variety of seating areas and landscape color to give the public spaces an inviting appearance and visual interest.
- Incorporate pedestrian scaled lighting for safety and to promote use in the evening.
- Incorporate pavers and paving patterns, with special consideration given to permeable pavers, to add interest and enhance the aesthetic quality of spaces.
- Allow for outdoor tables and seating to promote use of the space.



Plazas and courtyards offer spaces for outdoor cafes

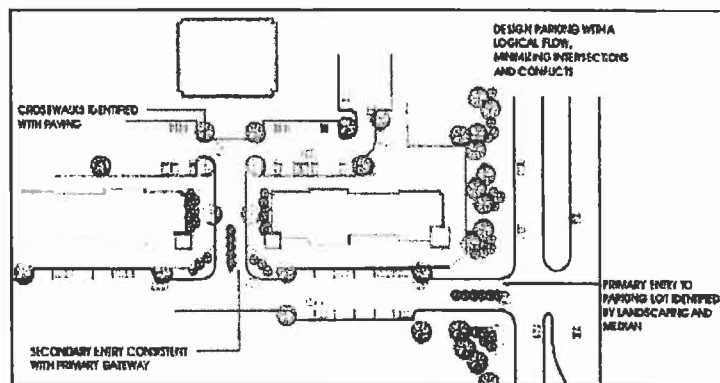
PRINCIPLE 7: Thoughtful consideration of vehicular and pedestrian circulation within individual developments

The purpose of the circulation standards is to minimize hazards and conflicts and establish logical circulation patterns. The appropriate integration of vehicular and pedestrian circulation is intended to provide safe and convenient access to all sites while being attractive, efficient and functional.

Vehicular Circulation

- Primary Site Entrances: Each entrance to a parcel, individual building site or residential neighborhood from a primary roadway should be designed as a “gateway” to the area it serves. Design elements should be visually interesting and consistent with other streetscape materials used throughout the City. When designing entries into residential and non-residential tracts, developers shall:

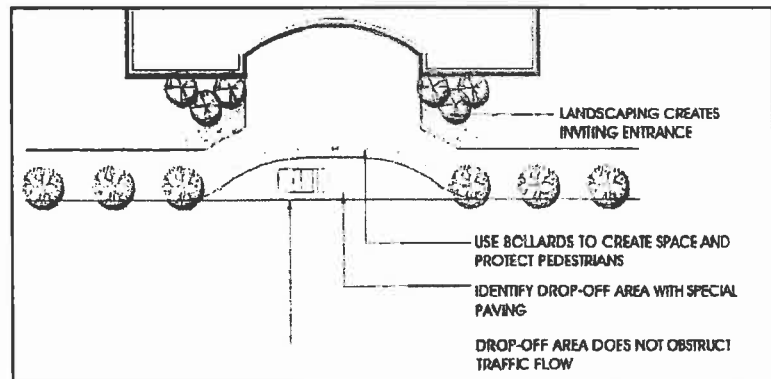
- Coordinate with adjacent properties to consolidate entries and minimize access points along major roadways.
- Minimize pedestrian and vehicle conflicts by reducing the quantity of crosswalks.
- Clearly identify site entries and provide a clear entry/arrival sequence.
- Provide “secondary” entries to parking lots and smaller residential neighborhoods from adjacent perpendicular minor roadways. Paving material, plants, signs and lighting



A single primary entrance reduces access points along a roadway

- should match primary entrance treatments, although landscaping intensity and signage may be reduced in scale.
- Provide at least one “primary” entry to parking lots or residential communities. The use of medians and/or special paving or landscaping to identify primary entries is required.
- Internal Drives: All internal drives should visually lead drivers to building entries, site amenities, or focal elements.
 - Design drives and parking areas to fit the natural contours of the site in order to minimize cut and fill and maintain natural drainage.
 - Align streets and drives to offer views to significant architectural features and site amenities and to direct drivers.
 - Internal streets shall be separated from parking lots by landscape islands and walkways.
- Drop-Off Areas: Drop-off areas for vehicles passengers shall be incorporated into development plans and should provide safe, convenient access to building entries, pedestrian plazas, and public open spaces. Drop-off areas must conform to all ADA regulations and standards.

- Emphasize drop-off areas with special paving material.
- Design drop-off lanes so they do not obstruct traffic flow when vehicles are stopped.
- Install bollards at drop-offs to provide protection for buildings and pedestrian walkways.



Design drop-off areas so they do not conflict with regular traffic and are identified with paving and bollards

- Service Areas: Service vehicle circulation throughout the City shall be designed to provide safe and efficient delivery routes for all anticipated service and delivery vehicles. The design of individual parcels to accommodate truck access shall meet all regulatory requirements for turning movements without sacrificing other important design objectives.
 - Locate service areas away from major streets and building entrances.
 - A noise barrier is required in situations where service areas are adjacent to a residential land use.
 - Minimize pedestrian and service vehicle conflicts.
 - Hide/screen views into service areas. Screening can be provided with landscaping or screen walls. Screen walls shall repeat materials and elements of the primary building.
 - Adjoining uses should share service drives where possible.
 - Design service drives to accommodate the traffic intended to use them including all entrance roads and access aisles that will be used to access the service areas.

Pedestrian Circulation

The purpose of pedestrian circulation standards is to establish guidelines for creating a pedestrian circulation system that is safe and efficient. Good walking environments include: continuous routes

Site Planning Principles

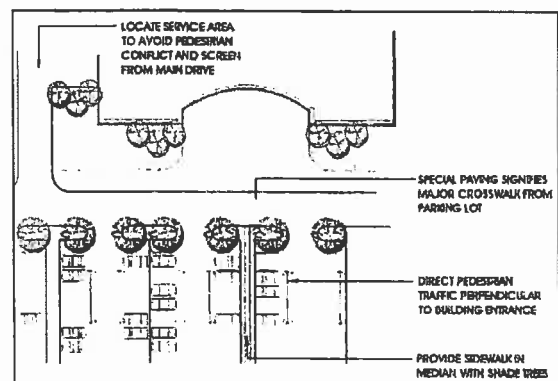
between sites, clearly defined access from parking areas, a variety of connected destinations and a feeling of safety and security.

- Sidewalks: Sidewalks must be constructed to provide pedestrian access to adjacent development and connections to the pedestrian trails throughout the City. Within specific developments, sidewalks shall provide access to and from parking lots, neighborhoods, schools, parks and open spaces.
 - Create distinct pedestrian corridors, which funnel pedestrians to logical gateways, plazas or other destinations.
 - Place special emphasis on pedestrian connections that link schools, recreation areas, and other major activity areas.
 - Neighborhoods should have access to open space and pocket parks by way of sidewalks and trails.
 - In residential areas, sidewalks should be located on both sides of the street, or trail in lieu of sidewalk on one side and sidewalk on the other.
 - Pavers or other changes in material or color should be used for walks adjacent to buildings and at street intersections to identify and enhance pedestrian routes.
- Crosswalks: Crosswalks are required at all intersections and key pedestrian crossings. Crosswalks must be identified by change in color, height, width, texture, or materials. Refer to ADA regulations and standards for any specific criteria regarding crosswalks and ramps.

Pedestrian Circulation in Parking Lots

Walkways that lead pedestrians from parking areas to buildings or plazas should be designed to facilitate easy movement and minimize crossing conflicts with vehicles. Pedestrians should feel comfortable about their walkways to buildings and pedestrian corridors should clearly identified.

- Pedestrians should not be required to cross service drives to reach major entrances from primary parking lots.
- Where major pedestrian routes within parking lots cross roadways and drives, use textured or colored paving materials to distinguish the route.
- Medians with sidewalks allow for safe circulation and reduce circulation conflicts.
- Wherever feasible orient parking aisles perpendicular to building entrances.



Median with sidewalk allows safe access to building entry

Accessibility

Owners and developers are expected to meet or exceed all requirements of the Americans with Disabilities Act (ADA), 1992, and all amendments thereto in the design and development of individual parcels, sites, buildings, and facilities. To the greatest extent possible, provide equal access in a manner that integrates ADA accessibility with ordinary accessibility, rather than separately.

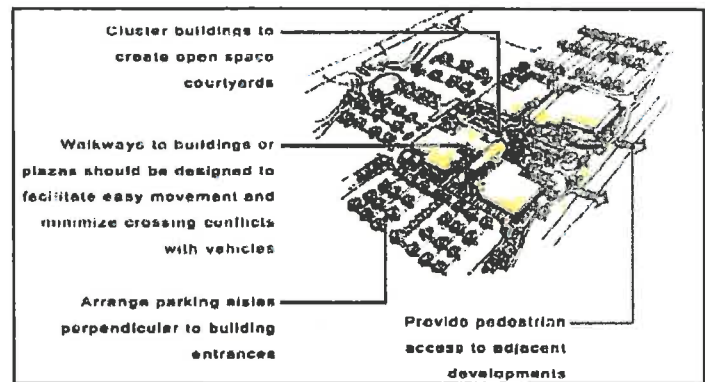
PRINCIPLE 8: Appropriate design of parking lots, utilities, service areas and detention areas to reduce the negative impact of typically unattractive site components

This section provides standards for the siting and layout of parking lots, service and loading areas, utilities, trash, storage and detention facilities. Specific landscaping criteria for these areas are included in the Landscaping Principles section. Site plans specifying parking and circulation designs, utility and detention requirements shall be submitted to the City for review.

Parking

- Parking ratios and quantity of spaces shall comply with the criteria set forth in the United City of Yorkville Zoning Ordinance
- Parking areas should be designed and located so they provide safe and efficient vehicular and pedestrian circulation within a site.
- Minimize negative visual impacts from adjacent roadways.
- Break large expanses of pavement with landscape medians and islands.
- Divide parking areas which accommodate a large number of vehicles into a series of smaller, connected lots.
- Avoid situations where parking spaces directly abut structures.
- Separate parking aisles from interior collectors and entry drives whenever possible.

Shared Parking: Where opportunities exist for shared parking between uses with staggered peak parking demands, consider reducing the total number of parking spaces within each site or parcel. Parking should be shared between complementary uses such as churches and office buildings.



Minimize visual impacts of parking from roadways

Store Front & Street Parking Requirements: All store front parking areas shall use angled parking or parallel parking. Areas shall be provided for sidewalks and landscaping between the store front and the edge of parking stall.

Bicycle: To encourage and accommodate alternative transportation modes, provide bicycle parking within each building site. Locate bicycle parking areas so they are visible from building entrances and convenient for riders. Parking areas shall be landscaped in a manner consistent with pedestrian plazas. Also, bike racks should be of a style consistent with other site elements.

Substations/Water/Wastewater Stations

Proposed electric substations, water pump stations and wastewater lift stations shall be screened from public views by a means of a 6 foot masonry wall on all sides with the exception of the area for gate accesses to the facility combined with landscaping. Service access shall be considered and incorporated into the screening program.

Detention

- Drainage facilities should be used as an amenity to a development. If the existing topography allows, the location can be incorporated into an entry feature or can be the foundation for a park with trails and open space.
- Natural and/or vegetated drainage swales provide open space connections, filter runoff and improve the aesthetic appearance of development.
- Detention facilities should not be designed as to require chain link fencing or concrete walls. If such designs are required due to engineering requirements, consider using decorative modular stone to give the appearance of a retaining wall.
- Detention ponds located in the front yard building set back shall be designed as a curvilinear, contoured shape.
- The design of detention ponds and drainage swales should incorporate conservation practices and include native plant materials in the landscape.



Naturalized detention basin in Yorkville

Location of Utilities

Visual and sound impacts of utilities, mechanical equipment, data transmission dishes, towers and other equipment should be minimized in all development plans.

- Design and install all permanent utility service lines underground.
- During construction and maintenance, minimize disruptions to other sites and businesses within the City.
- Temporary overhead distribution power and telephone lines are permitted during construction but shall be removed immediately upon completion of site and building construction.
- Wherever possible, mount data transmission and receiving telecommunication devices at ground level to the rear of structures and screen views from adjacent roadways, pedestrian paths and building sites.
- Screen all electrical transformers, gas meters and other utility cabinets from view.
- Structures are prohibited from being located in utility easements. Avoid locating signs, special landscape features, etc. in utility easements.
- Air conditioning units, vent systems and other mechanical systems that must be located on building roofs shall be screened from sight at the ground plane.
- In residential communities:
 - Items requiring screening should be located on the rear or side yards when possible and should be integrated in to the unit design.
 - Air conditioning units must be located behind a screen wall or planting hedge
 - Utility meters must be located on side or rear elevations of the dwelling.

Location of Service/Delivery/Trash/Storage Areas

The visual impacts of service, delivery, trash and outdoor equipment or storage areas should be minimized, particularly relative to views from public roadways and pedestrian corridors. Thoughtful placement and integration into the architecture and site design is a priority for all sites.

- Orient service entrances, loading docks, waste disposal areas and other similar uses toward service roads and away from major streets and primary building entrances.
- Locate loading, service, trash and delivery areas so they do not encroach on any setbacks.
- Avoid locating service areas where they are visible from adjacent buildings or where they may impact view corridors. Such facilities are more appropriate at the rear of buildings or sites.
- Trash enclosures must be located away from residential property lines.
- Wherever possible, coordinate the locations of service areas between adjacent users or developments, so that service drives can be shared.
- Locate parking areas for outdoor equipment, trucks, trailers, service vehicles, etc. away from public parking lots and major pedestrian circulation routes. Unless totally out of view, screen these areas architecturally and with landscaping.
- All proposed dumpsters, trash receptacles, refuse storage containers, outdoor storage, and ground mounted equipment should be located within an enclosure providing screening along with landscaping along the perimeter. Such enclosures shall repeat materials and elements on the primary building.



Screen dumpsters with walls and materials that match the architecture of the primary building

Landscape Principles

Landscape guidelines are essential for reflecting and enhancing the distinct character of the City. The standards and requirements for the installation of landscaping and screening walls throughout the City are set forth in order to:

- Enhance Yorkville's sense of place.
- Promote the general welfare of the community.
- Enhance the living environment.
- Aid in the enhancement of property values.
- Create an attractive, consistent appearance.
- Complement the visual effects of buildings.
- Provide appropriate buffers between land uses.
- Support the landscape character of the City.
- Use sustainable practices to reduce the impact of the built landscape on the natural ecosystem.

The following criteria are intended to supplement the landscape requirements currently adopted by the City. Where any conflict or overlap exists with the current City Ordinance, the stricter of the two shall apply.

PRINCIPLE 9: *Provide a unified landscape treatment throughout the City through the use of consistent right-of-way and buffer treatments.*

PRINCIPLE 10: *Enhance the aesthetic appearance of development and lessen the impact of undesirable site components through the effective use of landscaping.*

PRINCIPLE 9: Provide a unified landscape treatment throughout the City through the use of consistent right-of-way and buffer treatments.

Landscape Character

The overall character of the City will be enhanced in large part by the landscaping found throughout the City. To enhance the overall desired character throughout the City:

- Landscaping will be done in informal clusters to create a more natural appearance.
- Trails and/or sidewalks will be located throughout the City in the landscape buffers.



Use landscaping to enhance the character of Yorkville

“Gateway” Corridor Landscape Treatments

- Primary Gateway Corridors: Several major corridors lead residents and visitors into the City of Yorkville. The visual experience along these “Gateways” is critical to the overall perception and character associated with Yorkville. Due to the importance of these “Gateways” and the influence they have on the identity for the City, specific criteria have been added to these guidelines to ensure that an attractive landscape appearance is maintained as properties are developed adjacent to these primary corridors. The primary corridors identified for specific landscape buffers include: Route 30, Route 34, Route 47, Route 126, Route 71 and Prairie Parkway and Caton Farm Road. Where scenic vistas are prominent along a “Gateway” corridor,

such as Route 71, the landscape should be designed in a manner which frames the distant views. Site entrances should be highlighted with ornamental landscaping to signal the access point, while the remainder of the corridor should have an informal quality to capture the natural feel of the landscape.

- **Secondary Gateway Corridors:** In addition to the primary gateway corridors leading into the City, several additional roadways have been identified as secondary gateway corridors, possessing unique and attractive qualities which also define the character of the City. Development along these secondary corridors should be carefully evaluated to ensure the character of Yorkville is preserved. These roadways include: Fox Road, Highpoint Road, Legion Road, Van Emmon Road, River Road, Cannonball Trail, Kennedy Road, Mill Road, Galena Road, Eldamain Road, Minkler Road and Baseline Road. As with Primary Gateway Corridors, Secondary Gateway Corridors should also have designed landscapes which frame the distant views of scenic vistas. Site entrances should also be highlighted with ornamental landscaping to signal the access point, while the remainder of the corridor should have an informal quality to capture the natural feel of the landscape.



Landscape buffer

General Planting Requirements

Proper installation and maintenance of landscape plantings is essential to achieving the desired character throughout the City. The following requirements specify critical considerations for landscape plantings.

- All landscaping shall be separated from vehicular use areas by some form of barrier such as raised concrete curbing, bollards, curb stops or other suitable permanent alternative.
- No artificial plant material may be used to satisfy the requirements of this section.
- Coordinate tree plantings with utility locations to avoid conflicts.
- The use of native plant materials is strongly encouraged
- The use of lawn seed, as opposed to sod, is encouraged

PRINCIPLE 10: Enhance the aesthetic appearance of development and lessen the impact of undesirable site components through the effective use of landscaping.

Intersections and Site Entrances

Intersections and development entrances should be identified with ornamental landscaping coordinated with the signage. Clearly enhancing the entrances with landscaping and lighting will help identify key access points and add to the aesthetic appeal of the City.

Landscaping Adjacent to Non-Residential Buildings

- Incorporate planting beds into plazas to create shade and add human scale.

Landscape Principles

- Consider evergreen trees to create wind-blocks against prevailing winter winds.
- Accent entrances and architectural elements with ornamental plantings.
- Landscaped islands shall be planted with seasonal color and/or groundcover.
- Use plantings adjacent to buildings and along walkways to soften the appearance.
- Mature trees should be pruned of branches up to 9 feet high to maintain safe pedestrian passage.
- Incorporate landscaping beds and planters at key entryways *Landscape along buildings softens the edge and seating areas.*
- Landscaping is encouraged at pedestrian crossings and seating areas. However, consideration should be given to vehicular/pedestrian sight lines.
- Explore opportunities to break up large expanses of pavement.



Unimproved Pad Sites

All portions of the development site not occupied by buildings, structures, vehicle access and parking areas, loading/unloading areas and approved storage areas shall be landscaped. Future building pads within a phase development shall be kept in a neat and orderly manner though no landscaping is required.

Dumpster/Trash Receptacles/Outdoor Storage

All proposed dumpsters, trash receptacles, refuse storage containers and outdoor storage shall be located within an enclosure providing screening by means of combining the following landscape elements:

- Large shrubs and small trees shall be arranged as foundation planting around the perimeter of the pad areas. The opening for the equipment however shall not be obstructed. The above landscape requirements do not apply when the enclosure is an architectural extension of a principal building or where service areas are not visible.



Place utility boxes at the rear of structures and screen with berms and landscaping

Community Character Principles

Community Character Principles

The Community Character Principles address issues related to creating a unified sense of place and a positive identity for the United City of Yorkville.

- PRINCIPLE 11: *Establish unique gateway entrance features to identify the City.*
- PRINCIPLE 12: *Establish a comprehensive theme and a consistent family of lighting and furnishings for all public and private spaces.*
- PRINCIPLE 13: *Create a cohesive signage program.*

Desirable Elements:

The following elements are encouraged within all public and private areas throughout the City:

- Significant gateway defining entry into the City.
- Unique intersection enhancements to provide visual landmarks and repetitive design elements.
- Significant landscape areas with interesting hardscape design.
- Comprehensive, uniformly themed signage program for public and private spaces.
- Consistent family of site furnishings and light fixtures.
- Continuation of landscape buffer yards along the “Gateway” Corridors
- Richness of building surface and texture
- Consistent and cohesive architectural elements on buildings
- Consistent window and door patterns
- Significant wall articulation
- Building facades with many windows for streetscape interest and appeal.

Undesirable Elements:

The following elements are discouraged within the City:

- Large, billboard type signage structures for individual businesses.
- Wide ranging lighting and site furnishing styles.
- Stand alone signage for individual businesses within a development
- Large, out-of-scale signs with flashy colors
- Highly reflective surfaces or heavily tinted glass fronts
- Metal siding on primary facades
- Vinyl siding on residential buildings
- Mix of unrelated styles, i.e. rustic wood shingles and polished chrome
- Strongly themed architectural styles, which will soon become dated
- Sparsely landscaped parking lots, entries and right-of-ways
- Large non-residential building facades with few or no windows

PRINCIPLE 11: Establish unique gateway entry features to identify the City

Creating clearly defined gateways provides definition of the City’s corporate limits, makes a welcoming statement to visitors and creates a sense of arrival. It also allows visitors to associate elements found within the City, such as signage and architectural elements, to characteristics of the gateway design. The gateway feature should incorporate “Welcome to the United City of Yorkville” in some consistent

Community Character Principles

articulation and be consistent with the signage styles adopted for use in other public areas in the City. Gateway entry features are also encouraged to serve as trail heads for the City's Shared Use Trail system. Using similar materials, forms and colors will help introduce those elements that will be consistently found throughout the City.

Applicable locations for primary gateway entry features are:

- South of the intersection of Route 30 and Route 47
- Along Mill Road prior to the Burlington North Santa Fe railroad tracks
- East of the Route 34 and Bristol Ridge Road intersection
- West of the Route 71 and Van Emmon Road intersection, along Route 71
- West of the intersection of Route 126 and Block Road, along Route 126
- At the intersection of the Prairie Parkway and Caton Farm Road, along Route 47
- At the intersection of the Prairie Parkway and Route 71, along Route 71
- West the Rob Roy Creek along Route 34

Applicable locations for secondary gateway entry features are:

- Along Route 30 west of Dickson Road
- South of the intersection of Galena Road and Cannonball Trail, along Cannonball Trail
- Along Galena Road to the east of Blackhawk Boulevard
- Along Van Emmon Road to the west of Lyons Forest Preserve
- Along Fox Road to the west of the Hoover Education Center
- East of the intersection of River Road and Eldamain Road
- East of the intersection of Eldamain Road and Galena Road
- East of the intersection of Eldamain Road and Baseline Road

PRINCIPLE 12: Establish a comprehensive theme and a consistent family of lighting and site furnishings for all public and private spaces

Develop special areas that contain similar forms and/or materials to visually unify a sequence of events within the City. Establish design themes with complementary architecture, site furnishings, landscaping and lighting which are carefully coordinated to create unique identities while enhancing the sense of place that defines Yorkville.

Architecture

Design themes for individual developments should have a consistent palette of materials, forms and fixtures that is consistent with the Illinois vernacular architecture that unifies the City. The intent is to allow for unique designs and flexibility, but within a set of parameters. (Refer to PRINCIPLE 5) By doing so, development within the City is visually compatible.



Palette of complementary site furnishings

Community Character Principles

Site Furnishings

A palette of complementary site furnishings shall be used throughout the City to provide continuity between developments. The palette includes the following furnishings: seating, planters, waste receptacles, and street lights. When development occurs within the City, the following furnishings or equivalent styles must be utilized in the site design and approved by the City planning staff.

- **Seating/Benches:** Outdoor seating should be constructed of materials that are durable and easy to maintain in order to best withstand the elements and vandalism. Where seating is designed to be affixed, provide a variety of arrangements (both linear and grouped), which may accommodate 2 to 6 people. Provide benches at major building entryways, drop-off areas, pedestrian courtyards and plazas, parks and along the shared-use trail system.
- **Planters:** Planters shall complement the other furnishings in the palette. Planters should be incorporated into building entrances, plazas, or as a complementary feature to the overall architecture.
- **Waste and Recycling Receptacles:** Waste and recycling receptacles shall complement the other furnishings in the palette. Waste and recycling receptacles shall be provided at building entrances, intersections, plazas as well as other locations.
- **Light Fixtures:** Developing a family of lighting fixtures is critical to successfully developing a consistent style throughout the City. As a prominent element in the landscape, during the day and night, lighting must respond to a number of design criteria, including:

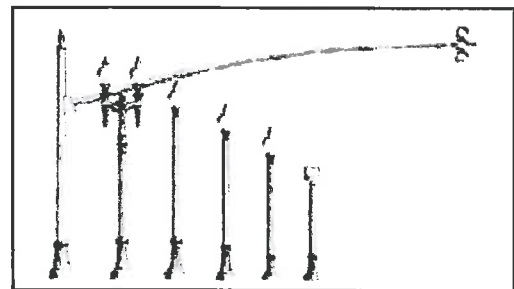
- Provide consistent street lights throughout the City; allowing flexibility within the family of fixtures to provide for varying applications.
- Lights should be pedestrian in scale; larger lighting applications such as traffic lights shall incorporate a detailed base which provides interest at the pedestrian level.
- Highlight interesting architectural or landscape elements with the use of accent lighting.
- Light fixtures attached to buildings shall be consistent with the style of the lighting family and compatibility with the architectural style.
- Creatively utilize lighting to emphasize design elements, including entry signage and public art.
- Fixtures shall be appropriately shielded so that the light source is not directly visible from public roads or adjacent properties.
- Aesthetic and other non-security lights shall be placed on timers which are set to turn off during non-peak hours of the evening.



Seating/Bench



Light Fixture



Family of compatible fixtures

Community Character Principles

- Light designs should adhere to the Dark Sky concept, which limits light pollution onto surrounding properties and the open sky above.
- LED lights should be considered in all applications

Public Art Program

Incorporating outdoor sculptures, fountains and other artwork is encouraged. Such elements and features help establish strong visual identities for individual facilities and greatly enhance the unique character of Yorkville.

- Artwork should have relevance to the United City of Yorkville; past, present or future.
- The placement of artwork shall be visibly located throughout the City
- Accent public open spaces with sculptures or fountains to give added community character.



Fountain provides focal point

PRINCIPLE 13: Create a cohesive signage program

It is important to consider the experience of a first time visitor when developing a family of signage. Creating an easily identifiable, unified signage system facilitates movement to both public and private destinations. Consolidating the identification of multiple individual entities into a single system reduces the amount of visual clutter usually associated with individual businesses using competitive signage strategies. Proposed signage should be evaluated on material, color, shape, scale, size, location and overall appropriateness. Signs of all scales within a development should relate to each other through a consistent use of materials, colors and text style. The following criteria are intended to supplement the signage requirements currently adopted by the City. Where any conflict or overlap exists with the current City codes, the stricter of the two shall apply.

Signage Design

- Colors
 - Sign colors should complement the colors and theme of the entire development.
 - Avoid too many colors, small accents may make the sign more attractive and unique but limit amount of colors used.
- Materials
 - Sign materials should be compatible with the materials used on the building façade upon which they are associated with or placed upon.
 - New materials may be appropriate only if they are designed in a manner consistent with the theme established by that development.
 - Metal signs are permitted but avoid finishes that will create glare.
 - Paper and cloth signs are not permitted.
- Legibility
 - Limit the number of text styles to avoid confusion and increase legibility.
 - Avoid symbols and fonts that are hard to read or too intricate.
 - Use symbols and logos in place of words whenever appropriate.

- **Illumination**
 - Illuminate only signs that are necessary, allow for illumination from other sources, such as streetlights or pedestrian lights.
 - Individually illuminated signs, either individual illuminated letters or back-lighted are encouraged.
 - Internally illuminated plastic cabinet signs are discouraged. Signs with individual letters are better integrated with the architecture.
- **Location**
 - Signs should not dominate the site in height and should not project above the rooflines of the buildings.
 - Signs should not obstruct doors or windows.
 - Utilize the building's architectural features to delineate where signs should be located.
 - Window signs should not cover a majority of the window.



Monument sign

Project Entry and Monument Signs

Project entry identifiers are located within landscape lot areas adjacent to major thoroughfares and at major intersections and primary entries. Projects with more than one tenant should locate no more than one sign along the City's "Gateway" corridors.

- All freestanding signs should be monument type.
- Freestanding monument signs should be perpendicular to the street.
- Signs should be oriented so that sight lines at intersections are not obstructed.
- Solid architectural bases and sides are encouraged. Each sign should incorporate a base, which is a minimum of 2 feet high. Sign materials should complement the materials used throughout the development.
- Landscaping should be incorporated at the base of the sign. A minimum 5 ft. landscape bed shall be created on all sides of the sign.
- Lighting of monument signs is permitted, minimize the amount of light pollution and glare onto surrounding property.



Neighborhood Entry

Neighborhood Entry Signs

Neighborhood entry identifies shall be placed at the primary entrance of individual neighborhoods within a community and shall be installed by the neighborhood homebuilder. The neighborhood signs shall be reflective of the main entry signage through the use of like forms, materials, logo and landscape. The location of neighborhood signs must be reviewed and approved by the City.

Directional Signs

When deemed necessary by the City or developer, easy to read motorist and pedestrian directional signs will be placed along public streets, greenbelts and trails within Yorkville. The location of each of these signs must receive the approval of the City.

Community Character Principles

Wall Signs

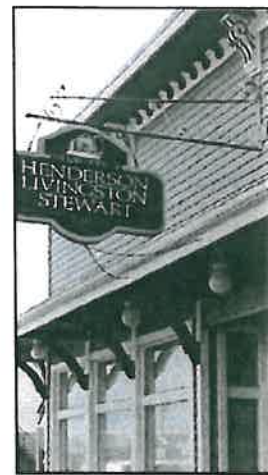
- All wall signs should not project from the surface of which they are mounted more than 12 inches.
- Wall signs should be located where the building's architectural features suggest. Wall signs can help break up large blank walls and can provide a variation on wall greater than one story.
- New wall signs in a development should be consistent in location with all other adjacent wall signs in the development.
- Lettering should not occupy more than 75% of the area of the panel where the sign is located.
- Wall signs should not project above the roofline or outside the edge of a building corner.



Directional Sign

Projecting Signs

- On a multistoried building, the sign should be suspended between the bottom of the second floor windowsill and the top of the first floor doors.
- Projecting signs should be made of metal, wood, or fiberglass. Plastic signs are discouraged.
- Signs should be hung at a 90 degree angle to the building façade. Signs should be pinned away from the building slightly to increase visibility but should not protrude into the vertical plane of drives or streets.
- The bottom of the sign should provide a 10 foot clearance above pedestrian sidewalks.
- Decorative iron and wood brackets are encouraged and should complement the overall design theme of the development.



Projecting Sign

Window Signs

- Text should be limited to the business name and/or a message to describe the services offered.
- Signs should be limited to individual letters placed on the interior surface of the window.
- Letters should be white, black or gold leaf paint. Avoid bright, distracting colors that may become too dominant and contrast the overall theme.

Street Address Markers

- In non-residential developments, address markers should be incorporated into the project signage with similar materials and colors.
- In residential developments:
 - The address marker must be located within 5 feet of a light fixture, which will illuminate the street address number from dusk until dawn.
 - The address marker must be located closest to the street either on the front façade of the house closest to the driveway or porch column closest to the driveway.



Reviewed By:	
Legal	<input checked="" type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input checked="" type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

New Business #7

Tracking Number

EDC 2018-29

Agenda Item Summary Memo

Title: Prestwick of Yorkville (YCHS) – 3rd Annexation Agreement Amendment

Meeting and Date: Economic Development Committee - April 3, 2018

Synopsis: Requested 3rd Amendment to the Annexation Agreement regarding required access off of Ashley Road and IL Rte. 126 and Ashley Road intersection improvements.

Council Action Previously Taken:

Date of Action: 05/13-14 Action Taken: Approval of Ord. 2014-57

Item Number: PC 2014-07

Type of Vote Required: Majority

Council Action Requested: Vote

Submitted by: Krysti Barksdale – Noble, AICP Community Development
Name Department

Agenda Item Notes:

See attached memo.



Memorandum

To: Economic Development Committee
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Date: March 26, 2018
Subject: **PZC 2018-04 Prestwick of Yorkville – Yorkville Christian School Request for 3rd Amendment to Annexation Agreement**

Summary

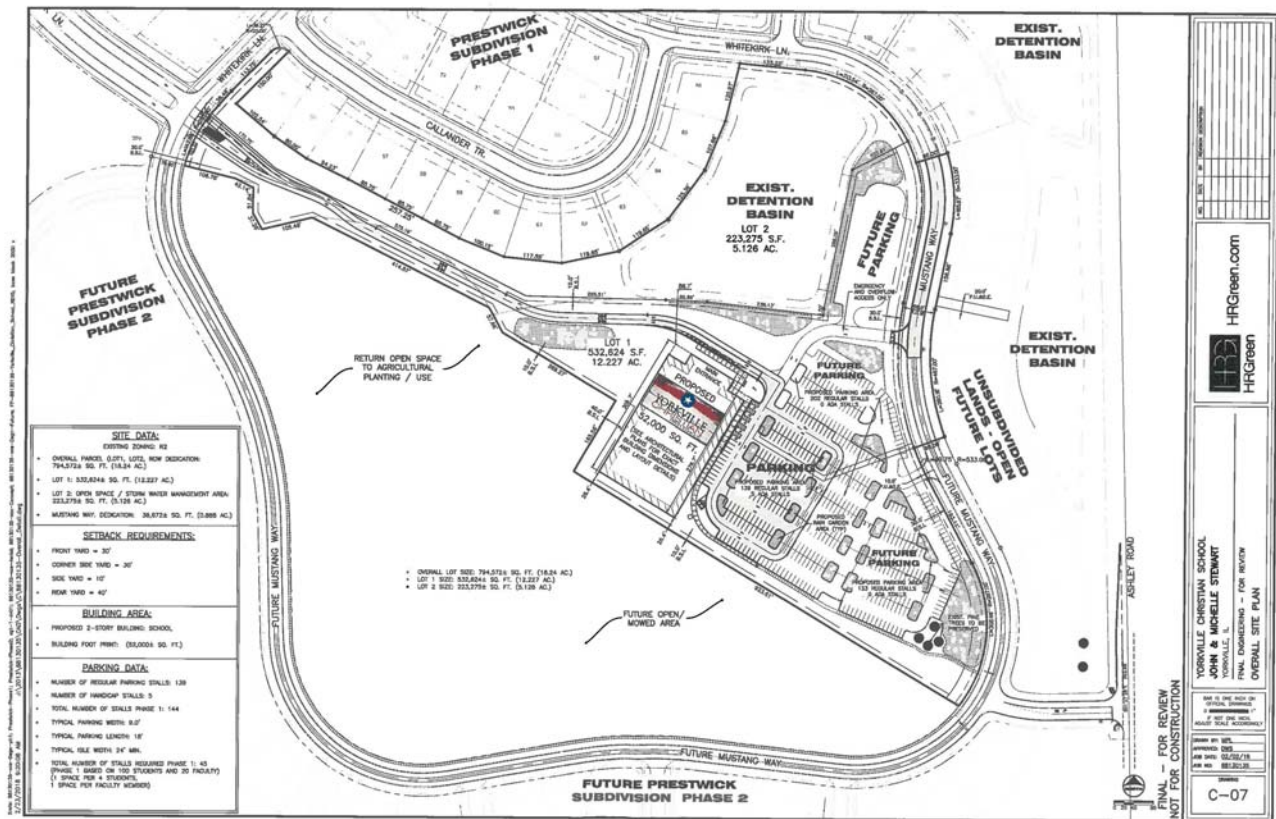
As the EDC will recall, the petitioners, John and Michelle Stewart, purchased the incomplete Prestwick of Yorkville subdivision in March 2013 and were granted approval of an amendment to the original annexation agreement (Ord. 2013-56) with a revised final plat of Unit 2 to construct a new Christian high school focused on agricultural studies in October 2014. As originally proposed, the school would have a maximum student capacity of 850 students but would be constructed in phases with the first phase accommodating about 100 students. The 2013 overall site plan indicated a school size of approximately 25,000 square feet with primary school traffic occurring off of Ashley Road, as illustrated below.



Since that time, the applicants have secured the a permit from the Illinois Department of Transportation (IDOT) to make intersection improvements at Route 126 and Penman Road, work towards the completion of punch list items in Unit 1 of the subdivision, and obtain earthwork and foundation permits for the school site. However, no intersection or roadway improvements to IL Route 126 at Penman, intersection of Ashley Road and IL Route 126, nor the Ashley Road improvements adjacent to school lot have occurred.

The petitioners are now seeking to amend the current annexation agreement to relieve them from completing required intersection improvements to Ashley Road and Illinois Route 126, and constructing an access roadway off of Ashley Road from the Yorkville Christian school site until such time homes in Phase II of the Prestwick (Ashley Pointe) development are being constructed.

Additionally, and not part of the amended annexation agreement request, the petitioner's have revised the overall layout of the school site and increased the building size to 52,000 square feet to accommodate the full student capacity.



Project Background

Below is a chronological bullet point summation of the City Council approvals related to this project since the purchase of the stalled development by the current petitioners:

- Per the amended Annexation Agreement approved in 2013 (Ord. No. 2013-56) Lot 358 of the original Final Plat was resubdivided for the purpose of accommodating the new private high school.
- Per Ordinance 2013-56, the developer was given credit against all City and County required road impact fees to which would be collected at time of building permit issuance based upon the understanding that the developer would make roadway improvements to IL Route 126 at Penman, Ashley Road and IL Route 126 intersection and Ashley Road improvements adjacent to Lot 358 where the new school will be located.
- Per Ordinance 2013-56, the Developer agreed to provide all required security for the high school development and roadways.

- Per Ordinance 2013-56, the City agreed to allow the school to open with forty percent (40%) of the required parking in place and the remaining sixty percent (60%) to be land banked and installed as determined by the City.
- Ordinance 2014-57, approved in October 2014 authorizing the Final Plat for the school, stipulated in Exhibit B that the improvements to IL Route 126 at Penman and IL Route 126 at Ashley Road must be substantially completed prior to the issuance of an occupancy permit for the school.
- Ordinance 2014-26, approved in May 2014, allowed for the release/reduction in the security requirements for the roadway completion as part of the development with the written acknowledgement and agreement by the Owner/Developer that no certificate of occupancy for the school or any other structure constructed on the property will be issued by the City until such time a deposit sufficient for the roadway improvements related to the IL Route 126 intersection with IDOT has been provided.

Annexation Agreement Amendment

Section 2 of the Second Amendment stated that *“the Developer will provide any required security for the high school improvements, including roadways”*. The developer requests that the annexation agreement be further amended to stipulate the proposed new language which is underlined and the removal of the existing annexation agreement language crossed out:

The Developer acknowledges its responsibility for all required security for the high school improvements, including roadways; Owner/Developer agrees not to construct any access roadway from the Yorkville Christian School site to Ashley Road until the intersection improvements for Ashley Road and Route 126 are completed; the City agrees that no intersection improvements for Ashley Road and Route 126 shall be required to be made by Owner/Developer until such time as Phase II homes are being constructed in Ashley Pointe Subdivision (formerly known as Prestwick of Yorkville Subdivision); the City agrees to release to the Developer/Owner any security for the roadway improvements related to the Route 126 intersection held by the City upon written acknowledgement by the Owner/Developer that it understands and agrees that no certificates of occupancy for any houses constructed as part of Phase II of Ashley Pointe Subdivision shall be issued by the City until such time as Owner/Developer has deposited sufficient security for the roadway improvements related to the Route 126/Ashley Road intersection ~~provided, however, the City agrees to release to the Developer/Owner any security for the roadway improvements related to the Route 126 intersection held by the City upon written acknowledgement by the Owner/Developer that it understands and agrees that no certificate of occupancy for the school or any other structure constructed on the Property shall be issued by the City until such time as the Owner/Developer has deposited sufficient security for the roadway improvements related to the Route 126 intersection~~ with the Illinois Department of Transportation (“IDOT”) and the City has received confirmation from IDOT of the receipt of such security.

All other provisions of the original, First and Second amended annexation agreements will remain in effect.

Traffic Study Analysis:

The petitioner's have provided an addendum to the original Traffic Study prepared in 2013 by KLOA Inc., transportation engineers. The original Traffic Study took into consideration the traffic impacts of the proposed school at maximum enrollment (850 students), Phase I and Phase II residential build out and the utilization of two (2) access roads that will serve the development, Ashley Road and the intersection of IL Rte 126 and Penman. Ashley Road was to serve as the primary access point for the school traffic, while IL Rte 126 and Penman would be a secondary access point for the school and the main access for the residential units. This report also assumed a 2% rate of traffic growth per year. At the conclusion of the study, it was determined that the addition of the new traffic generated from the school and full build-out of the Prestwick subdivision (Phases I and II) could be accommodated by the required roadway improvements to IL Rte. 126 and Penman, IL Rte. 126 and Ashley Road and Ashley Road. Further it was recommended that westbound left-turn lanes should be provided on IL Rte. 126 at the intersections with Ashley Road and Penman Road.

The addendum prepared by KLOA, Inc. dated February 16, 2018, considered the revised site plan, school enrollment at full capacity (850 students) and the build out of only Phase I of the subdivision with the only vehicular access off of IL Rte. 126 and Penman Road. The report also projected a 1% rate of traffic growth per year. The findings of the traffic addendum concluded the connection to Ashley Road for the school was not needed to accommodate the estimated traffic generated by both the school and the complete build-out of the residential homes in Phase I of the development.

Staff Comments:

Staff is not supportive of postponing the roadway improvements (access point) off of Ashley Road adjacent to the school site until such time Phase II of the development has commenced construction, as the intent of the original annexation agreement amendment (Ord. 2013-56) and subsequent approvals related to this development were contingent upon the roadway improvements being completed. Further, the assumptions in the addendum to the traffic study were incongruent with those used in the original study. Staff has shared these concerns with the Petitioner and stated this will need to be addressed prior to any final recommendation regarding the amended request.

While the Illinois Department of Transportation (IDOT) expressed concerns in 2008-2009 with the previous developer utilizing the current IL Rte. 126 and Penman intersection for residential vehicular traffic (it was only intended for construction traffic), the petitioner is committed to completing these roadway improvements before being issued final occupancy permits for any new residential construction in Phase I or for the school building. Additionally, staff has requested the petitioners obtain IDOT's written opinion on the proposed revised traffic study and postponed roadway improvements.

Should the City consider the requested postponement of the improvements, staff recommends not tying the trigger for construction to the development of Phase II (which has not been final platted), but to a fixed number of permits issued in Phase I, specifically after the issuance of the 75th building permit for certificate of occupancy, the developer would be required to commence construction of the roadway improvements off of Ashley Road and be completed within three (3) years of the date the 75th building permit for certificate of occupancy or no further building permits will be issued in either phase of the development. This recommendation is predicated on the satisfactory analysis of the traffic study and upon confirmation from IDOT that the additional traffic from the school through the IL Rte 126 and Penman intersection is acceptable.

Additionally, it is also staff's reasoning to support the proposed amendment based upon the petitioners expressing that funding is needed from the sale of the residential lots within Phase I to

finance the cost of the Ashley Road access and the Ashley Road and IL Rte. 126 intersection improvements. The petitioners are currently negotiating a contract with a nation-wide builder to purchase lots in a series of four (4) take-downs of approximately 25 lots per “grab”. This would allow the petitioner to sell off approximately 75 units in three (3) take downs before having to commence the roadway improvements. Conversely, there are no active buyers for Phase II of the Prestwick (Ashley Pointe) development.

Staff would further recommend if the postponement of the Ashley Road improvements are approved, that the developer would be required to post a sufficient security deposit in the form of a letter of credit, bond or cash to cover the required work.

A Plan Council meeting was conducted on March 22, 2018 between staff and the petitioners where these concerns and recommendations were discussed. The petitioner seem amenable to the recommendations and are considering providing an emergency access drive off of Ashley Road for first responder entry. Further, staff suggested that the petitioners reach out to the existing residential homeowners within the Prestwick subdivision prior to the public hearing regarding the proposed amendment, since formal notification by certified mailing is not required for annexation agreement amendments. Comments from that meeting prepared by the Community Development Director and the City Engineer are attached for your reference.

This matter is tentatively scheduled to be considered at a public hearing on April 10, 2018 before the City Council. A copy of the public hearing notice posted in the Beacon Newspaper on March 16th has also been attached. Should the Economic Development Committee have question regarding this matter, staff and the petitioners will be available at Tuesday night’s meeting.

Attachments:

1. Copy of Petitioners’ Amended Annexation Agreement Application.
2. Ordinance No. 2013-56 1st Amended Annexation Agreement.
3. Ordinance No. 2014-26 2nd Amended Annexation Agreement.
4. Plan Council Memorandum dated March 13, 2018 prepared by the Community Development Director.
5. EEI Review letter dated March 14, 2018 prepared by Brad Sanderson, City Engineer.
6. Copy of Public Notice



United City of Yorkville
800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

APPLICATION FOR AGREEMENT AMENDMENT

INVOICE & WORKSHEET PETITION APPLICATION			
CONCEPT PLAN REVIEW	<input type="checkbox"/> Engineering Plan Review deposit	\$500.00	Total: \$
AMENDMENT	<input checked="" type="checkbox"/> Annexation <input type="checkbox"/> Plan <input type="checkbox"/> Plat <input type="checkbox"/> P.U.D.	\$500.00 \$500.00 \$500.00 \$500.00	Total: \$ 500.00
ANNEXATION	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres # of Acres - 5 = Acres over 5 x \$10 = Amount for Extra Acres + \$250 = Total Amount		Total: \$
REZONING	<input type="checkbox"/> \$200.00 + \$10 per acre for each acre over 5 acres <i>If annexing and rezoning, charge only 1 per acre fee; if rezoning to a PUD, charge PUD Development Fee - not Rezoning Fee</i> # of Acres - 5 = Acres over 5 x \$10 = Amount for Extra Acres + \$200 = Total Amount		Total: \$
SPECIAL USE	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres # of Acres - 5 = Acres over 5 x \$10 = Amount for Extra Acres + \$250 = Total Amount		Total: \$
ZONING VARIANCE	<input type="checkbox"/> \$85.00 + \$500.00 outside consultants deposit		Total: \$
PRELIMINARY PLAN FEE	<input type="checkbox"/> \$500.00		Total: \$
PUD FEE	<input type="checkbox"/> \$500.00		Total: \$
FINAL PLAT FEE	<input type="checkbox"/> \$500.00		Total: \$
ENGINEERING PLAN REVIEW DEPOSIT	<input type="checkbox"/> Less than 1 acre \$1,000.00 <input type="checkbox"/> Over 1 acre, less than 10 acres \$2,500.00 <input type="checkbox"/> Over 10 acres, less than 40 acres \$5,000.00 <input type="checkbox"/> Over 40 acres, less than 100 acres \$10,000.00 <input type="checkbox"/> Over 100 acres \$20,000.00		Total: \$
OUTSIDE CONSULTANTS DEPOSIT	<i>Legal, land planner, zoning coordinator, environmental services</i> For Annexation, Subdivision, Rezoning, and Special Use: <input type="checkbox"/> Less than 2 acres \$1,000.00 <input type="checkbox"/> Over 2 acres, less than 10 acres \$2,500.00 <input type="checkbox"/> Over 10 acres \$5,000.00		Total: \$
TOTAL AMOUNT DUE:			\$500.00



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Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

APPLICATION FOR AGREEMENT AMENDMENT

DATE:	PZC NUMBER:	DEVELOPMENT NAME: Ashley Pointe Subdivision	
PETITIONER INFORMATION			
NAME: John C. Stewart and Michelle L. Stewart		COMPANY: N/A	
MAILING ADDRESS: 3874 N. IL Route 71			
CITY, STATE, ZIP: Sheridan, IL 60118		TELEPHONE: 630-768-0412	
EMAIL: michelle@stewartspreading.com		FAX:	
PROPERTY INFORMATION			
NAME OF HOLDER OF LEGAL TITLE: John C. Stewart and Michelle L. Stewart			
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN:			
PROPERTY STREET ADDRESS: 7525 MUSTANG WAY, YORKVILLE, IL			
DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION: Illinois Route 126 between Wren Road and Ashley Road			
CURRENT ZONING CLASSIFICATION: R-2 Single Family Residence District			
LIST ALL GOVERNMENTAL ENTITIES OR AGENCIES REQUIRED TO RECEIVE NOTICE UNDER ILLINOIS LAW:			
ZONING AND LAND USE OF SURROUNDING PROPERTIES			
NORTH: R-2 RESIDENTIAL (ASHLEY POINTE) - NORTH OF ASHLEY POINTE - AGRICULTURE - KENDALL COUNTY			
EAST: R-2 RESIDENTIAL (ASHLEY POINTE) - EAST OF ASHLEY POINTE - AGRICULTURE - KENDALL COUNTY			
SOUTH: R-2 RESIDENTIAL (ASHLEY POINTE) - SOUTH OF ASHLEY POINTE - AGRICULTURE - KENDALL COUNTY			
WEST: R-2 RESIDENTIAL (ASHLEY POINTE) - WEST OF ASHLEY POINTE - RESIDENTIAL (YORKVILLE)			
KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)			



United City of Yorkville
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Yorkville, Illinois, 60560
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Website: www.yorkville.il.us

APPLICATION FOR AGREEMENT AMENDMENT

PROPERTY INFORMATION

NAME OF AGREEMENT: ANNEXATION AGREEMENT OF PRESTWICK OF YORKVILLE N/K/A ASHLEY POINTE, AS AMENDED

DATE OF RECORDING: 12/19/2009; 1ST AMENDMENT 10/30/2013; 2ND AMENDMENT 2/3/2015

SUMMARIZE THE ITEMS TO BE AMENDED FROM THE EXISTING AGREEMENT:

SEE ATTACHED

ATTACHMENTS

Petitioner must attach a legal description of the property to this application and title it as "Exhibit A".

Petitioner must list the names and addresses of any adjoining or contiguous landowners within five hundred (500) feet of the property that are entitled notice of application under any applicable City Ordinance or State Statute. Attach a separate list to this application and title it as "Exhibit B".

Petitioner must attach a true and correct copy of the existing agreement and title it as "Exhibit C".

Petitioner must attach amendments from the existing agreement and title it as "Exhibit D".



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Website: www.yorkville.il.us

APPLICATION FOR AGREEMENT AMENDMENT

ATTORNEY INFORMATION

NAME: PATTI A. BERNHARD

COMPANY: DOMMERMUTH, COBINE, WEST, ET AL

MAILING ADDRESS: 111 EAST JEFFERSON AVENUE, SUITE 200

CITY, STATE, ZIP: NAPERVILLE, IL 60540

TELEPHONE: 630-355-5800

EMAIL: PAB@DBCW.COM

FAX: 630-355-5976

ENGINEER INFORMATION

NAME: DAVID SCHULTZ

COMPANY: H R GREEN, INC.

MAILING ADDRESS: 651 PRAIRIE POINTE, SUITE 201

CITY, STATE, ZIP: YORKVILLE, IL 60560

TELEPHONE: 630-553-7560

EMAIL: DSCHULTZ@HRGREEN.COM

FAX: 630-553-7646

LAND PLANNER/SURVEYOR INFORMATION

NAME: DAVID SCHULTZ

COMPANY: H R GREEN, INC.

MAILING ADDRESS: 651 PRAIRIE POINTE, SUITE 201

CITY, STATE, ZIP: YORKVILLE, IL 60560

TELEPHONE: 630-553-7560

EMAIL: DSCHULTZ@HRGREEN.COM

FAX: 630-553-7646

AGREEMENT

I VERIFY THAT ALL THE INFORMATION IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND AND ACCEPT ALL REQUIREMENTS AND FEES AS OUTLINED AS WELL AS ANY INCURRED ADMINISTRATIVE AND PLANNING CONSULTANT FEES WHICH MUST BE CURRENT BEFORE THIS PROJECT CAN PROCEED TO THE NEXT SCHEDULED COMMITTEE MEETING.

I UNDERSTAND ALL OF THE INFORMATION PRESENTED IN THIS DOCUMENT AND UNDERSTAND THAT IF AN APPLICATION BECOMES DORMANT IT IS THROUGH MY OWN FAULT AND I MUST THEREFORE FOLLOW THE REQUIREMENTS OUTLINED ABOVE.

PETITIONER SIGNATURE

DATE

2/27/18

OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.

OWNER SIGNATURE

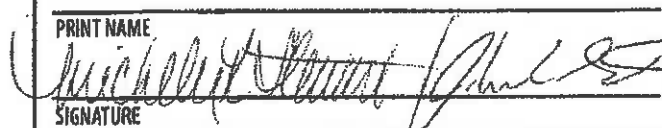
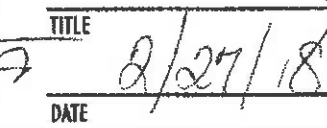
DATE

2/27/18



United City of Yorkville
800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

PETITIONER DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NUMBER: MICHELLE & JOHN STEWART		FUND ACCOUNT NUMBER: N/A		PROPERTY ADDRESS: 7525 Mustang Way	
APPLICATION/APPROVAL TYPE (check appropriate box(es) of approval requested):					
<input type="checkbox"/> CONCEPT PLAN REVIEW		<input type="checkbox"/> AMENDMENT (TEXT)		<input checked="" type="checkbox"/> ANNEXATION	
<input type="checkbox"/> SPECIAL USE		<input type="checkbox"/> MILE AND 1/2 REVIEW		<input type="checkbox"/> ZONING VARIANCE	
<input type="checkbox"/> FINAL PLANS		<input type="checkbox"/> PLANNED UNIT DEVELOPMENT		<input checked="" type="checkbox"/> FINAL PLAT	
PETITIONER DEPOSIT ACCOUNT FUND: It is the policy of the United City of Yorkville to require any petitioner seeking approval on a project or entitlement request to establish a Petitioner Deposit Account Fund to cover all actual expenses occurred as a result of processing such applications and requests. Typical requests requiring the establishment of a Petitioner Deposit Account Fund include, but are not limited to, plan review of development approvals/engineering permits. Deposit account funds may also be used to cover costs for services related to legal fees, engineering and other plan reviews, processing of other governmental applications, recording fees and other outside coordination and consulting fees. Each fund account is established with an initial deposit based upon the estimated cost for services provided in the INVOICE & WORKSHEET PETITION APPLICATION. This initial deposit is drawn against to pay for these services related to the project or request. Periodically throughout the project review/approval process, the Financially Responsible Party will receive an invoice reflecting the charges made against the account. At any time the balance of the fund account fall below ten percent (10%) of the original deposit amount, the Financially Responsible Party will receive an invoice requesting additional funds equal to one-hundred percent (100%) of the initial deposit if subsequent reviews/fees related to the project are required. In the event that a deposit account is not immediately replenished, review by the administrative staff, consultants, boards and commissions may be suspended until the account is fully replenished. If additional funds remain in the deposit account at the completion of the project, the city will refund the balance to the Financially Responsible Party. A written request must be submitted by the Financially Responsible Party to the city by the 15th of the month in order for the refund check to be processed and distributed by the 15th of the following month. All refund checks will be made payable to the Financially Responsible Party and mailed to the address provided when the account was established.					
ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY					
NAME: MICHELLE & JOHN STEWART			COMPANY: N/A		
MAILING ADDRESS: 3874 N. IL Route 71					
CITY, STATE, ZIP: Sheridan, IL 60118			TELEPHONE: 630-768-0412		
EMAIL: MICHELLE@STEWARTSPREADING.COM			FAX:		
FINANCIALLY RESPONSIBLE PARTY: I acknowledge and understand that as the Financially Responsible Party, expenses may exceed the estimated initial deposit and, when requested by the United City of Yorkville, I will provide additional funds to maintain the required account balance. Further, the sale or other disposition of the property does not relieve the individual or Company/ Corporation of their obligation to maintain a positive balance in the fund account, unless the United City of Yorkville approves a Change of Responsible Party and transfer of funds. Should the account go into deficit, all City work may stop until the requested replenishment deposit is received.					
MICHELLE L. STEWART / JOHN C. STEWART			OWNERS		
PRINT NAME			TITLE		
					
SIGNATURE			DATE		
			2/27/18		
ACCOUNT CLOSURE AUTHORIZATION					
DATE REQUESTED:		<input type="checkbox"/> COMPLETED		<input type="checkbox"/> INACTIVE	
PRINT NAME:		<input type="checkbox"/> WITHDRAWN		<input type="checkbox"/> COLLECTIONS	
SIGNATURE:		<input type="checkbox"/> OTHER			
DEPARTMENT ROUTING FOR AUTHORIZATION:		<input type="checkbox"/> COM. DEV.		<input type="checkbox"/> BUILDING	
		<input checked="" type="checkbox"/> ENGINEERING		<input type="checkbox"/> FINANCE	
				<input type="checkbox"/> ADMIN.	



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APPLICATION FOR PRELIMINARY PLAN & FINAL PLAT

INVOICE & WORKSHEET PETITION APPLICATION			
CONCEPT PLAN REVIEW	<input type="checkbox"/> Engineering Plan Review deposit	\$500.00	Total: \$
AMENDMENT	<input type="checkbox"/> Annexation <input type="checkbox"/> Plan <input checked="" type="checkbox"/> Plat <input type="checkbox"/> P.U.D.	\$500.00 \$500.00 \$500.00 \$500.00	Total: \$ 500.00
ANNEXATION	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres _____ - 5 = _____ x \$10 = _____ + \$250 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
REZONING	<input type="checkbox"/> \$200.00 + \$10 per acre for each acre over 5 acres <i>If annexing and rezoning, charge only 1 per acre fee; if rezoning to a PUD, charge PUD Development Fee - not Rezoning Fee</i> _____ - 5 = _____ x \$10 = _____ + \$200 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
SPECIAL USE	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres _____ - 5 = _____ x \$10 = _____ + \$250 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
ZONING VARIANCE	<input type="checkbox"/> \$85.00 + \$500.00 outside consultants deposit		Total: \$
PRELIMINARY PLAN FEE	<input type="checkbox"/> \$500.00		Total: \$
PUD FEE	<input type="checkbox"/> \$500.00		Total: \$
FINAL PLAT FEE	<input type="checkbox"/> \$500.00		Total: \$
ENGINEERING PLAN REVIEW DEPOSIT	<input type="checkbox"/> Less than 1 acre <input checked="" type="checkbox"/> Over 1 acre, less than 10 acres <input type="checkbox"/> Over 10 acres, less than 40 acres <input type="checkbox"/> Over 40 acres, less than 100 acres <input type="checkbox"/> Over 100 acres	\$1,000.00 \$2,500.00 \$5,000.00 \$10,000.00 \$20,000.00	Total: \$ 2,500.00
OUTSIDE CONSULTANTS DEPOSIT	<i>Legal, land planner, zoning coordinator, environmental services</i> For Annexation, Subdivision, Rezoning, and Special Use: <input type="checkbox"/> Less than 2 acres <input checked="" type="checkbox"/> Over 2 acres, less than 10 acres <input type="checkbox"/> Over 10 acres		Total: \$ 2,500.00
TOTAL AMOUNT DUE:			5,500.00



United City of Yorkville
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Yorkville, Illinois, 60560
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Fax: 630-553-7575
Website: www.yorkville.il.us

APPLICATION FOR PRELIMINARY PLAN & FINAL PLAT

DATE:	PZC NUMBER:	DEVELOPMENT NAME:
PETITIONER INFORMATION		
NAME: Michelle L. Stewart and John C. Stewart		COMPANY: N/A
MAILING ADDRESS: 3874 N. IL Route 71		
CITY, STATE, ZIP: Sheridan, IL 60118		TELEPHONE: 630-768-0412
EMAIL: michelle@stewartspreading.com		FAX:
PROPERTY INFORMATION		
NAME OF HOLDER OF LEGAL TITLE: Michelle L. Stewart and John C. Stewart		
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN:		
PROPERTY STREET ADDRESS: 7525 MUSTANG WAY, YORKVILLE, IL		
TYPE OF REQUEST:		
<input type="checkbox"/> PRELIMINARY PLAN <input type="checkbox"/> FINAL PLAT <input type="checkbox"/> AMENDED PRELIMINARY PLAN <input checked="" type="checkbox"/> AMENDED FINAL PLAT		
TOTAL LOT ACREAGE: 12 ACRES		CURRENT ZONING CLASSIFICATION: R-2 SINGLE FAMILY RES DIST
ATTACHMENTS		
Petitioner must attach a legal description of the property to this application and title it as "Exhibit A".		



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APPLICATION FOR PRELIMINARY PLAN & FINAL PLAT

ATTORNEY INFORMATION

NAME: PATTI A. BERNHARD

COMPANY: DOMMERMUTH, COBINE, WEST, ET AL

MAILING ADDRESS: 111 EAST JEFFERSON AVENUE, SUITE 200

CITY, STATE, ZIP: NAPERVILLE, IL 60540

TELEPHONE: 630-355-5800

EMAIL: PAB@DBCW.COM

FAX: 630-355-5976

ENGINEER INFORMATION

NAME: DAVID SCHULTZ

COMPANY: H R GREEN, INC.

MAILING ADDRESS: 651 PRAIRIE POINTE DRIVE, SUITE 201

CITY, STATE, ZIP: YORKVILLE, IL 60560

TELEPHONE: 630-553-7560

EMAIL: DSCHULTZ@HRGREEN.COM

FAX: 630-553-7646

LAND PLANNER/SURVEYOR INFORMATION

NAME: DAVID SCHULTZ

COMPANY: H R GREEN, INC.

MAILING ADDRESS: 651 PRAIRIE POINTE DRIVE, SUITE 201

CITY, STATE, ZIP: YORKVILLE, IL 60560

TELEPHONE: 630-553-7560

EMAIL: DSCHULTZ@HRGREEN.COM

FAX: 630-553-7646

AGREEMENT

I VERIFY THAT ALL THE INFORMATION IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND AND ACCEPT ALL REQUIREMENTS AND FEES AS OUTLINED AS WELL AS ANY INCURRED ADMINISTRATIVE AND PLANNING CONSULTANT FEES WHICH MUST BE CURRENT BEFORE THIS PROJECT CAN PROCEED TO THE NEXT SCHEDULED COMMITTEE MEETING.

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PETITIONER SIGNATURE

DATE

OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.

OWNER SIGNATURE

DATE



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800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
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Website: www.yorkville.il.us

PETITIONER DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NUMBER: MICHELLE & JOHN STEWART	FUND ACCOUNT NUMBER: N/A	PROPERTY ADDRESS: 7525 Mustang Way
APPLICATION/APPROVAL TYPE (check appropriate box(es) of approval requested):		
<input type="checkbox"/> CONCEPT PLAN REVIEW	<input type="checkbox"/> AMENDMENT (TEXT)	<input checked="" type="checkbox"/> ANNEXATION
<input type="checkbox"/> SPECIAL USE	<input type="checkbox"/> MILE AND 1/2 REVIEW	<input type="checkbox"/> ZONING VARIANCE
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ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY		
NAME: MICHELLE & JOHN STEWART		COMPANY: N/A
MAILING ADDRESS: 3874 N. IL Route 71		
CITY, STATE, ZIP: Sheridan, IL 60118		TELEPHONE: 630-768-0412
EMAIL: MICHELLE@STEWARTSPREADING.COM		FAX:
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MICHELLE L. STEWART / JOHN C. STEWART		OWNERS
PRINT NAME	TITLE	
	2/27/18	
SIGNATURE	DATE	
ACCOUNT CLOSURE AUTHORIZATION		
DATE REQUESTED:	<input checked="" type="checkbox"/> COMPLETED	<input type="checkbox"/> INACTIVE
PRINT NAME:	<input checked="" type="checkbox"/> WITHDRAWN	<input type="checkbox"/> COLLECTIONS
SIGNATURE:	<input checked="" type="checkbox"/> OTHER	
DEPARTMENT ROUTING FOR AUTHORIZATION:	<input type="checkbox"/> COM. DEV.	<input type="checkbox"/> BUILDING
	<input type="checkbox"/> ENGINEERING	<input type="checkbox"/> FINANCE
	<input type="checkbox"/> ADMIN.	

EXHIBIT A

LEGAL DESCRIPTION

A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 10 TOWNSHIP 36 NORTH RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND A RESUBDIVISION OF LOT 358 IN PRESTWICK OF YORKVILLE SUBDIVISION, UNIT 1, IN THE UNITED CITY OF YORKVILLE, KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

ADDRESS: 7525 MUSTANG WAY, YORKVILLE, IL

PINS: 05-10-277-001 and PART OF 05-10-200-007

**THIRD AMENDMENT TO THE ANNEXATION AGREEMENT OF YORKVILLE
FARMS DEVELOPMENT AND THE UNITED CITY OF YORKVILLE**
(Prestwick of Yorkville Subdivision)

This Third Amendment to the Annexation Agreement of Yorkville Farm Development (Prestwick of Yorkville Subdivision) (the “Amendment”), is made and entered into this ____ day of _____, 2018, by and between the United City of Yorkville, a Kendall County, Illinois, a municipal corporation (the “City”), and the owner of record John C. Stewart and Michelle L. Stewart (“Owner” or “Developer” or “Owner/Developer”).

WITNESSETH

WHEREAS, Owner owns fee simple title to the real property which is legally described in Exhibit A attached hereto, consisting of approximately 190 acres, more or less (hereinafter “Property”); and,

WHEREAS, on April 26, 2005, the Mayor and City Council (the “Corporate Authorities”) entered into an Annexation Agreement of Yorkville Farm Development (the “Original Agreement”) which provided for the zoning of the Property as R-2 Single Family Resident District established the required infrastructure and public improvements deemed necessary to serve the Property when developed, and set forth the required donations, fees and security to guarantee the completion and maintenance of the public improvements; and,

WHEREAS, on October 8, 2013, the Corporate Authorities approved the First Amendment to the Annexation Agreement of Yorkville Farms Development and the United City of Yorkville (Prestwick of Yorkville Subdivision) (the “First Amendment”) which among other things, approved a revised plat of subdivision; established permitted uses for a portion of the Property to be developed as a school, changed the name of the Subdivision to Ashley Pointe; and revised the security requirements of the Owner/Developer to include security for the school improvements including roadways; and,

WHEREAS, on May 27, 2014, the Corporate Authorities approved the Second Amendment to the Annexation Agreement of Yorkville Farms Development and the United City of Yorkville (Ashley Pointe Subdivision f/k/a Prestwick of Yorkville) (the “Second Amendment”) which among other things, reduced the security requirements of the Owner/Developer including roadways; and

WHEREAS, the Owner/Developer has now requested to amend the Annexation Agreement to revise the language reducing the security requirements of the Owner/Developer including roadways.

NOW, THEREFORE, in consideration of the mutual covenants, agreements and conditions herein contained, and by authority of and in accordance with the aforesaid statutes of the State of Illinois, the parties agree as follows:

1. The foregoing Preambles are hereby adopted as if fully restated herein.
2. Section 2 of the Second Amendment, which amended Paragraph 4 of the First Amendment, which amended Paragraph 6 of the Original Agreement stating that “the Developer will provide any required security for the high school improvements, including roadways”, is further amended by amending Section 2 as follows:

The Developer acknowledges its responsibility for all required security for the high school improvements, including roadways; Owner/Developer agrees not to construct any access roadway from the Yorkville Christian School site to Ashley Road until the intersection improvements for Ashley Road and Route 126 are completed; the City agrees that no intersection improvements for Ashley Road and Route 126 shall be required to be made by Owner/Developer until such time as Phase II homes are being constructed in Ashley Pointe Subdivision (formerly known as Prestwick of Yorkville Subdivision); the City agrees to release to the Developer/Owner any security for the roadway improvements related to the Route 126 intersection held by the City upon written acknowledgement by the Owner/Developer that it understands and agrees that no certificates of occupancy for any houses constructed as part of Phase II of Ashley Pointe Subdivision shall be issued by the City until such time as Owner/Developer has deposited sufficient security for the roadway improvements related to the Route 126/Ashley Road intersection with the Illinois Department of Transportation (“IDOT”) and the City has received confirmation from IDOT of the receipt of such security.

3. All other terms and conditions of the Original Agreement as amended by the First Amendment remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hands on this ____ day of _____, 2018.

United City of Yorkville, an Illinois municipal
Corporation

By: _____
Mayor

Attest:

City Clerk

John C. Stewart

Michelle L. Stewart

EXHIBIT A

UNIT ONE:

LOTS 1 THROUGH 10, INCLUSIVE, LOTS 12 THROUGH 41, INCLUSIVE, LOTS 43 THROUGH 50, INCLUSIVE, LOTS 52 THROUGH 63, INCLUSIVE, LOT 65 THROUGH 108, INCLUSIVE, LOTS 357 THROUGH 363, INCLUSIVE, AND LOT 365 IN PRESTWICK OF YORKVILLE UNIT 1, BEING A SUBDIVISION OF PART OF SECTIONS 3 & 10, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 31, 2006, AS DOCUMENT NUMBER 200600035287, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

UNIT TWO:

THAT PART OF THE EAST HALF OF SECTION 10, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE SOUTH 01 DEGREES 32 MINUTES 35 SECONDS EAST ALONG THE WEST LINE OF THE EAST HALF OF SAID SECTION 10, 1776.14 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 54 DEGREES 40 MINUTES 34 SECONDS EAST, 258.23 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 283.00 FEET AND A CHORD BEARING OF NORTH 38 DEGREES 32 MINUTES 30 SECONDS EAST, AN ARC LENGTH OF 31.79 FEET; THENCE NORTH 41 DEGREES 45 MINUTES 34 SECONDS EAST, 269.09 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 283.00 FEET AND A CHORD BEARING OF NORTH 68 DEGREES 21 MINUTES 45 SECONDS EAST, AN ARC LENGTH OF 262.80 FEET; THENCE SOUTH 85 DEGREES 02 MINUTES 05 SECONDS EAST, 0.59 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT WITH A RADIUS OF 25.00 FEET AND A CHORD BEARING OF NORTH 54 DEGREES 36 MINUTES 04 SECONDS EAST, AN ARC LENGTH OF 35.22 FEET; THENCE SOUTH 75 DEGREES 45 MINUTES 48 SECONDS EAST, 70.00 FEET; THENCE SOUTHERLY ALONG A CURVE TO THE LEFT WITH A RADIUS OF 265.00 FEET AND A CHORD BEARING OF SOUTH 14 DEGREES 09 MINUTES 29 SECONDS WEST, AN ARC LENGTH OF 0.73 FEET; THENCE SOUTH 75 DEGREES 55 MINUTES 15 SECONDS EAST, 145.79 FEET; THENCE SOUTH 00 DEGREES 43 MINUTES 57 SECONDS WEST, 61.16 FEET; THENCE SOUTH 29 DEGREES 47 MINUTES 52 SECONDS EAST, 37.26 FEET; THENCE NORTH 76 DEGREES 49 MINUTES 03 SECONDS EAST, 116.69 FEET; THENCE SOUTH 81 DEGREES 47 MINUTES 13 SECONDS EAST, 153.95 FEET; THENCE SOUTH 63 DEGREES 29 MINUTES 31 SECONDS EAST, 112.02 FEET; THENCE SOUTH 45 DEGREES 59 MINUTES 45 SECONDS EAST, 111.92 FEET; THENCE SOUTH 29 DEGREES 23 MINUTES 15 SECONDS EAST, 55.65 FEET; THENCE NORTH 78 DEGREES 20 MINUTES 45 SECONDS EAST, 90.04 FEET; THENCE NORTH 82 DEGREES 41 MINUTES 33 SECONDS EAST, 88.65 FEET; THENCE NORTH 87 DEGREES 00 MINUTES 20 SECONDS EAST, 88.65 FEET; THENCE SOUTH 88 DEGREES 40 MINUTES 53 SECONDS EAST, 88.65 FEET; THENCE SOUTH 88 DEGREES 00 MINUTES 08 SECONDS EAST, 85.86 FEET; THENCE SOUTH 83 DEGREES 43 MINUTES 10 SECONDS EAST, 238.13 FEET; THENCE NORTH 04 DEGREES 45 MINUTES 16 SECONDS EAST, 13.20 FEET; THENCE NORTH 11 DEGREES 14 MINUTES 44 SECONDS EAST, 288.09 FEET; THENCE NORTH 62 DEGREES 41 MINUTES 24 SECONDS EAST, 127.61 FEET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 267.00 FEET AND A CHORD BEARING OF SOUTH 22 DEGREES 18 MINUTES 37 SECONDS EAST, AN ARC LENGTH OF 46.60 FEET; THENCE NORTH 72 DEGREES 41 MINUTES 23 SECONDS EAST, 216.00 FEET; THENCE SOUTH 10 DEGREES 59 MINUTES 02 SECONDS EAST, 106.45 FEET;

THENCE SOUTH 01 DEGREES 40 MINUTES 08 SECONDS WEST, 106.45 FEET; THENCE SOUTH 10 DEGREES 43 MINUTES 58 SECONDS WEST, 86.80 FEET; THENCE SOUTH 11 DEGREES 14 MINUTES 44 SECONDS WEST, 80.00 FEET; THENCE SOUTH 07 DEGREES 24 MINUTES 58 SECONDS WEST, 72.99 FEET; THENCE SOUTH 05 DEGREES 14 MINUTES 55 SECONDS EAST, 71.04 FEET; THENCE SOUTH 18 DEGREES 06 MINUTES 54 SECONDS EAST, 71.04 FEET; THENCE SOUTH 27 DEGREES 45 MINUTES 40 SECONDS EAST, 77.42 FEET; THENCE SOUTH 28 DEGREES 15 MINUTES 03 SECONDS EAST, 80.00 FEET; THENCE SOUTH 27 DEGREES 34 MINUTES 17 SECONDS EAST, 87.88 FEET; THENCE SOUTH 15 DEGREES 28 MINUTES 24 SECONDS EAST, 106.01 FEET; THENCE SOUTH 01 DEGREES 42 MINUTES 03 SECONDS EAST, 52.39 FEET; THENCE NORTH 88 DEGREES 28 MINUTES 09 SECONDS EAST, 84.51 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE SOUTH 01 DEGREES 32 MINUTES 43 SECONDS EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 74.63 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREES 27 MINUTES 24 SECONDS EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10, 1006.36 FEET TO THE SOUTHEAST CORNER OF LANDS CONVEYED TO ROBERT M. AND ELAINE E. STEWART BY DOCUMENT NO. 72-5656; THENCE SOUTH 88 DEGREES 04 MINUTES 01 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LANDS PER DOCUMENT NO. 72-5656, 2655.55 FEET TO THE SOUTHWEST CORNER OF SAID LANDS PER DOCUMENT NO. 72-5656, SAID POINT BEING ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10, AND 1876.91 FEET SOUTHERLY OF (AS MEASURED ALONG SAID WEST LINE) THE POINT OF BEGINNING; THENCE NORTH 01 DEGREES 32 MINUTES 35 SECONDS WEST, ALONG THE WEST LINE OF THE EAST HALF OF SAID SECTION 10, 1876.91 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS AND CONTAINING 110.29 ACRES OF LAND, MORE OR LESS.

EXHIBIT A

LEGAL DESCRIPTION

A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 10 TOWNSHIP 36 NORTH RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND A RESUBDIVISION OF LOT 358 IN PRESTWICK OF YORKVILLE SUBDIVISION, UNIT 1, IN THE UNITED CITY OF YORKVILLE, KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

ADDRESS: 7525 MUSTANG WAY, YORKVILLE, IL

PINS: 05-10-277-001 and PART OF 05-10-200-007

EXHIBIT B

Not Applicable

EXHIBIT C

STATE OF ILLINOIS)
) ss
COUNTY OF KENDALL)

200500039118
Filed for Record in
KENDALL COUNTY, ILLINOIS
PAUL ANDERSON
12-19-2005 at 11:17 am.
ORDINANCE 62.00
RHEP Purchase 10.00

ORDINANCE NO. 2005- 30

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ANNEXATION AGREEMENT OF (PRESTWICK OF YORKVILLE SUBDIVISION)

WHEREAS, it is prudent and in the best interest of the UNITED CITY OF
YORKVILLE, Kendall County, Illinois, that a certain Annexation Agreement pertaining
to the annexation of real estate described on the Exhibit "A" attached hereto and made a
part hereof entered into by the UNITED CITY OF YORKVILLE; and

WHEREAS, said Annexation Agreement has been drafted and has been considered
by the City Council; and

WHEREAS, the legal owners of record of the territory which is the subject of said
Agreement are ready, willing and able to enter into said Agreement and to perform the
obligations as required hereunder; and





WHEREAS, the statutory procedures provided in 65 ILCS 11-15.1.1, as amended,
for the execution of said Annexation Agreement has been fully complied with; and





WHEREAS, the property is presently contiguous to the City.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY
COUNCIL OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY,
ILLINOIS, AS FOLLOWS;


Section 1: The Mayor and the City Clerk are herewith authorized and directed to
execute, on behalf of the City, an Annexation Agreement concerning the annexation of
the real estate described therein, a copy of which Annexation Agreement is attached
hereto and made a part hereof.

Section 2: This ordinance shall be in full force and effect from and after its passage
and approval as provided by law.

WANDA OHARE 
VALERIE BURD 
LARRY KOT 
ROSE SPEARS 

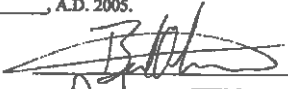
JOSEPH BESCO 
PAUL JAMES 
MARTY MUNNS 
RICHARD STICKA 
~~ARTHUR PROCHASKA~~

Approved by me, as Mayor of the United City of Yorkville, Kendall County,
Illinois, this 20 Day of April, A.D. 2005.


MAYOR

Passed by the City Council of the United City of Yorkville, Kendall County,
Illinois this 20 day of April, A.D. 2005.

ATTEST:


Deputy CITY CLERK



Prepared by:

John Justin Wyeth
City Attorney
United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

Final

**ANNEXATION AGREEMENT OF YORKVILLE FARMS DEVELOPMENT AND
THE UNITED CITY OF YORKVILLE
(PRESTWICK OF YORKVILLE SUBDIVISION)**

This Annexation Agreement (hereinafter "Agreement"), is made and entered into this 24th day of April, 2005, by and between the UNITED CITY OF YORKVILLE, a municipal corporation, hereinafter referred to as "CITY", and the owners of record YORKVILLE FARMS DEVELOPMENT, LLC, (Hereinafter "OWNER" or "DEVELOPER" or "OWNER/DEVELOPER").

WITNESSETH

WHEREAS, OWNER owns fee simple title to the real property which is legally described in Exhibit "A" attached hereto, consisting of approximately 195.5 acres, more or less (hereinafter "PROPERTY"); and

WHEREAS, it is the desire of OWNER/DEVELOPER to provide for the annexation of the PROPERTY and to develop the PROPERTY in the CITY in accordance with the terms of this Agreement and the Ordinances of the CITY; and to provide that when said PROPERTY is annexed zoning will be granted at that time as an R-2 Single Family Residence District; and

WHEREAS, it is the desire of the CITY to annex the PROPERTY and facilitate its development pursuant to the terms and conditions of this Agreement and the Ordinances of the CITY; and

WHEREAS, OWNER/DEVELOPER and CITY has or will perform and execute all acts required by law to effectuate such annexation; and

WHEREAS, it is the intent of OWNER/DEVELOPER to design a stormwater management system for the PROPERTY that is in conformance with City Ordinances; and

WHEREAS, all notices required by law relating to the annexation of the PROPERTY to the CITY have been given to the persons or entities entitled thereto, pursuant to the applicable provisions of the Illinois Compiled Statutes; and

WHEREAS, the Corporate Authorities of the CITY have duly fixed the time for a public hearing on this Agreement and pursuant to legal notice have held such hearing thereon all as required by the provisions of the Illinois Compiled Statutes; and

WHEREAS, the Corporate Authorities, and the Plan Commission of the CITY have duly held all public hearings relating to annexation and zoning all as required by the provisions of the CITY's Ordinances and Illinois Compiled Statutes; and

WHEREAS, the OWNER/DEVELOPER and CITY agree that upon Annexation to the CITY the PROPERTY shall be placed in a R-2 Single Family Residence District, as set forth in the Preliminary Plan attached hereto and incorporated herein by reference as Exhibit "B"; and

WHEREAS, in reliance upon the development of the PROPERTY in the manner proposed, OWNER/DEVELOPER and the CITY have agreed to execute all petitions and other documents that are necessary to accomplish the annexation of the PROPERTY to the CITY; and

WHEREAS, in accordance with the powers granted to the CITY by the provisions of 65 ILCS 5/11-15.1-1 through 15.1-5 (2002), inclusive, relating to Annexation Agreements, the parties hereto wish to enter into a binding agreement with respect to the future annexation and zoning of the PROPERTY and to provide for various other matters related directly or indirectly to the annexation of the PROPERTY in the future, as authorized by, the provisions of said statutes; and

WHEREAS, pursuant to due notice and publication in the manner provided by law, the appropriate zoning authorities of the CITY have had such public hearing and have taken all further action required by the provisions of 65 ILCS 5/11-15-1.3 (2002) and the ordinances of the CITY relating to the procedure for the authorization, approval and execution of this Annexation Agreement by the CITY.

NOW, THEREFORE, in consideration of the mutual covenants, agreements and conditions herein contained, and by authority of and in accordance with the aforesaid statutes of the State of Illinois, the parties agree as follows:

1. ANNEXATION.

OWNER has or will file with the Clerk of the CITY a duly and properly executed petition pursuant to, and in accordance with the provisions of 65 ILCS 5/7-1-1 et seq. (2002) to annex the PROPERTY and any adjacent roadways not previously annexed to the United City of Yorkville. CITY agrees to adopt any necessary ordinances to annex said PROPERTY as soon as reasonably practical.

2. ZONING.

A. Contemporaneously with the Annexation of the PROPERTY, the CITY shall adopt an Ordinance amending the provisions of the United City of Yorkville Zoning Ordinance so as to provide that the PROPERTY shall be classified and shall zone the parcel R-2 Single Family Residence District.

B. The CITY and OWNER/DEVELOPER agree that the PROPERTY shall be developed in substantial compliance with the ordinances of the CITY in effect at the time of passage of this agreement by the City Council of the UNITED CITY OF YORKVILLE, and from time to time amended as, the same shall be applied to the property as duly passed by the UNITED CITY OF YORKVILLE.

C. Preliminary Plan. The CITY hereby approves the Preliminary Plan attached hereto as Exhibit B, prepared by Smith Engineering Consultants dated _____.

2005.

3. ANNEXATION TO SANITARY DISTRICT.

A. OWNER/DEVELOPER agrees to file the necessary petitions and agreements to request annexation and sanitary sewer service for the PROPERTY from the Yorkville Bristol Sanitary District.

B. OWNER/DEVELOPER shall cause the PROPERTY to be annexed to the Yorkville-Bristol Sanitary District ("Yorkville Bristol" or "YBSD") for the purpose of extending and connecting to the sanitary sewer lines and treatment facilities of Yorkville-Bristol. The installation of sanitary sewer lines to service the PROPERTY and the connection of such sanitary sewer lines to the existing sewer lines of Yorkville-Bristol shall be carried out in substantial compliance with the Final Engineering as approved by the CITY for each Phase of Development. The CITY shall fully cooperate with OWNER and DEVELOPER in obtaining such permits as may be required from time to time by both federal and state law, including, without limitation, the Illinois Environmental Protection Act, permitting the construction and connection of the sanitary sewer lines to the Yorkville-Bristol facilities, in order to facilitate the development and use of each Phase of Development of the PROPERTY. The sanitary sewer mains constructed by DEVELOPER for each Phase of Development which are eighteen (18) inches or more in diameter ("Large Lines") shall be conveyed to Yorkville-Bristol, subject to their approval, and Yorkville-Bristol shall take ownership of and, at its expense, be responsible for the ongoing care, maintenance, replacement and renewal of said Large Lines, and the sanitary sewer lines which are less than eighteen inches in diameter ("Small Lines") shall be conveyed to the CITY and the CITY shall take ownership of and, at its expense, be responsible for the ongoing care, maintenance, replacement and renewal of said Small Lines following the city's acceptance thereof, which acceptance shall not be unreasonably denied or delayed. CITY agrees to allow connection of the PROPERTY to the sanitary sewer lines adjacent to the PROPERTY until such time as the proposed Southeast Interceptor is available at the property line of the PROPERTY. The DEVELOPER agrees to cooperate with the City regarding the Southeast Sewer Interceptor project. The OWNER/DEVELOPER is permitted to temporarily connect to the Rain Tree Village Sewer System that is tributary to the Commonwealth Edison interceptor, however, once the southeast interceptor has been constructed, the property will be permanently connected to the southeast interceptor. The City represents that the sewer lines and the sanitary system presently have the capacity to service the property and the City will use its best efforts to provide that sanitary sewer capacity for purposes of serving the property. In the event the DEVELOPER advances the cost for the design work necessary for the southeast interceptor, the City would credit the DEVELOPER, its successors or assigns for sewer connection fees that would be charged to the users on this property at the time that those sewer connection fees would be due.

C. OWNER/DEVELOPER shall construct a temporary lift station, if necessary, in accordance with the plans attached hereto as Exhibit C. The OWNER/DEVELOPER and CITY agree to enter into an agreement for the maintenance of the temporary sanitary sewer lift station.

4. WATER.

The CITY shall provide adequate potable water in sufficient quantities and pressure to

serve the needs of the PROPERTY. The potable water connection shall occur at the northwest corner of the property at the eastern edge of the development commonly known as Rain Tree Village. The DEVELOPER agrees to provide easements for water utilities as may be necessary. The DEVELOPER may be required to provide an easement on the property at a location to be determined by the CITY engineer if a pressure reducing valve is required to service the property.

5. DONATIONS AND CONTRIBUTIONS.

A. The DEVELOPER shall pay School Transition fees per residential dwelling unit in said PROPERTY as voluntarily agreed to by DEVELOPER to the Yorkville Community School District #115; City Development fees of Two Thousand Eight Hundred and no/100 Dollars (\$2,800.00) per residential dwelling unit shall be paid by DEVELOPER at the time of building permit issuance; the per unit Municipal Building Fee in effect at time of Final Plat approval payable at Final Plat recording, as well as other published fees to the CITY in conformance with City Ordinances or as modified herein, including but not limited to City Reimbursement of Consultants and of Review Fee Ordinances, Municipal Building Fees, City Land-Cash Ordinance, and other such fees to the CITY in conformance with the City Ordinances or as modified from time to time herein. Said Transition, Development, and other fees shall be paid per single-family residence concurrent with and prior to the issuance of each respective single-family building permit. Said fees are being paid voluntarily and with the consent of DEVELOPER based upon this contractual agreement voluntarily entered into between the parties after negotiation of this Agreement. DEVELOPER knowingly waives any claim or objection as to amount of the specific fees negotiated herein voluntarily.

B. Developer shall pay Two Thousand Dollars (\$2,000.00) per residential dwelling unit in the PROPERTY as a road impact fee. Said road impact fee may be reduced in accordance with the terms of this Annexation Agreement.

C. DEVELOPER shall pay all school and park land-cash fees or provide land dedication as required under existing City Ordinances at the election of the CITY.

1. DEVELOPER agrees to dedicate to the City a Site at the location and acreage amount as shown on the Preliminary Plan attached hereto and incorporated herein by reference as "Exhibit B", for which DEVELOPER shall receive a park donation credit in equal amount to the park site and proposed trail system.

2. CITY agrees to accept ownership of and to forever maintain the proposed trail system within the PROPERTY.

3. In order to provide for the maintenance of the Subdivision signage, common areas and open space, in the event the Homeowner's Association fails to so maintain, OWNER agrees to execute a consent to the creation of a dormant Special Service Area prior to execution of the First Final Plat of Subdivision by the CITY; and the CITY shall have approved ordinances encumbering all residential units of said subdivision, as to common subdivision signage, storm water management or other common areas of the subdivision.

4. Any contributions for Land/Cash for Schools and/or Parks not satisfied by land donations shall be made up with cash contributions for the difference in value or in kind improvements within the parks and/or construction of bicycle paths.

D. In the event the CITY requires DEVELOPER to oversize water mains, sanitary sewer mains, storm sewer lines, or other improvements such as roads that benefit other properties, the parties shall enter into a written agreement specifically providing that said costs shall be reimbursed by the CITY, or be the subject of a Recapture Agreement and Recapture Ordinance in favor of DEVELOPER before DEVELOPER is required to perform any oversizing or additional road improvements.

B. Upon annexation, police protection, 911 services, and library service will be provided by the City at no charge to the Developer.

F. The DEVELOPER shall pay a Fire District Fee of One Thousand Dollars (\$1,000.00) per home. One-half of said fee (\$500.00 per unit) shall be due and payable for the first phase of the development in a lump sum at the time of final plat recording. The balance for additional phases, if any, shall be paid at the building permit stage. The DEVELOPER shall pay the Library Fee of Five Hundred Dollars (\$500.00) per home. One-half of said fee or Two Hundred Fifty Dollars (\$250.00) per unit shall be due and payable for the first phase of the development in a lump at the time of final plat recording. The balance for additional phases, if any, shall be paid at the building permit stage.

G. In light of the improvements set forth in Exhibit D attached hereto and incorporated herein by reference, DEVELOPER will be granted a traffic impact fee credit of the cost of improvements to the Route 126/Collector Road intersection, the construction of the Collector Road and the Route 126/Ashley Intersection and Ashley Road. If the amounts of these improvements exceed the traffic impact fees, the parties shall enter into a written agreement specifically providing that costs shall be reimbursed by the CITY or be the subject to a recapture agreement and recapture ordinance in favor of the DEVELOPER.

H. The CITY shall not require the OWNERS and DEVELOPER to donate any land or money to the CITY or any other governmental body, except as otherwise expressly provided in this Agreement.

I. Notwithstanding the provisions of this Annexation Agreement, the only fees that are due and owing the CITY are those fees set forth in Exhibit E attached hereto and incorporated herein by reference.

6. SECURITY INSTRUMENTS.

DEVELOPER shall deposit, or cause to be deposited, with the CITY such irrevocable letters of credit or surety bonds ("Security Instruments") on the standard forms of the City and as long as said instruments meet the CITY requirements, to guarantee completion and maintenance of the public improvements to be constructed as a part of the development of each Phase of Development as are required by applicable ordinances of the CITY. The DEVELOPER shall have the sole discretion as to whether an irrevocable letter of credit or surety bond will be used as the security instruments. The amount and duration of each Security Instrument shall be as required by applicable ordinances of the CITY. The City Council upon recommendation by the City Engineer, may from time to time approve a reduction or reductions in the Security Instruments by an amount not in excess of eighty five (85%) of the value certified by the City Engineer of the completed work, so long as the balance remaining of the completed work, so long as the balance remaining in the Security

Instruments is at least equal to one hundred ten percent (110%) of the cost to complete the remaining public improvements for the applicable Phase of Development.

Security for construction of perimeter roadways and onsite improvements may be dedicated, constructed, and/or bonded as independent Phases of Development at the sole discretion of the DEVELOPER. The City shall determine the timing of the construction of independently phase improvements.

7. PROCEDURE FOR ACCEPTANCE OF PUBLIC IMPROVEMENTS AND OFFSITE ROAD IMPROVEMENTS.

A. The public improvements constructed as a part of the development of each phase of development shall be accepted by the CITY pursuant to the provisions of the Subdivision Ordinance. The City shall exercise good faith and due diligence in accepting said public improvements following DEVELOPER'S completion thereof for each phase of development in compliance with the requirements of said ordinance; and the City Engineer shall make his recommendation to the City Council not later than thirty (30) days from the date of DEVELOPER'S request for approval of any public improvements.

B. DEVELOPER agrees to improve Ashley Road in accordance with the CITY's rural cross-section standard.

8. OVERSIZING.

In the event DEVELOPER is required to oversize and/or deepen any water, storm sewer or City sanitary sewer lines to accommodate other properties, CITY agrees to require anyone connecting to said lines to pay the CITY who then shall reimburse DEVELOPER within 30 days of any other parcel of real property connecting to said improvements, for DEVELOPER'S costs of oversizing said lines including costs for deepening said lines and any engineering fees, and other costs associated therewith. In the event DEVELOPER seeks said reimbursement, the parties agree separately that the Recapture Agreement shall be executed pursuant to and in compliance with the Illinois Compiled Statutes, Local Government Act governing the Recapture with the requisite Public Hearing being held and requisite recapture ordinance being approved by the City Council contingent on the percentage of the benefit to the DEVELOPER and including the service area effected.

In the event any said oversizing is required, the CITY and DEVELOPER agree to prepare a Recapture Agreement and Recapture Ordinance detailing said costs and fees and approving the same within a reasonable amount of time after those costs are ascertained. The Recapture Agreement shall not include the cost of any Owner/Developer oversight of construction.

DEVELOPER agrees to hold the CITY harmless and indemnify the CITY from any liability as a result of any recapture imposed.

9. AMENDMENTS TO ORDINANCES.

All ordinances, regulations, and codes of the CITY, including without limitation those pertaining to subdivision controls, zoning, storm water management, drainage, and building code requirements, (so long as they do not affect the City's International Standards

Organization (ISO) insurance rating), and related restrictions, as they presently exist, except as amended, varied, or modified by the terms of this Agreement, shall apply to the PROPERTY and its development if universally applied to all property in the CITY, shall also apply to the PROPERTY for a period of five (5) years from the date of this Agreement, otherwise such ordinances, regulations and codes shall apply to the PROPERTY after a period of five (5) years from the date of this AGREEMENT. Any amendments, repeal, or additional regulations, which are subsequently enacted by the CITY, shall not be applied to the development of the PROPERTY except upon the written consent of DEVELOPER during said five (5) year period. Any Agreements, repeal, or additional regulations which are subsequently enacted by the CITY shall not be applied to the development of the PROPERTY except upon the written consent of DEVELOPER during said five (5) year period. After said five (5) year period, the PROPERTY and its development will be subject to all ordinances, regulations and codes of the CITY in existence on or adopted after the expiration of said five (5) year period, provided, however, that the application of any such ordinance, regulation or code shall not result in a reduction in the number of residential building lots herein approved on the Preliminary Plan for the PROPERTY, alter or eliminate any of the ordinance variations, modifications or departures provided for herein, nor result in any subdivided lot or structure constructed within the PROPERTY being classified as non-conforming under any ordinance of the CITY. The foregoing to the contrary notwithstanding, in the event the CITY is required to modify, amend or enact any ordinance or regulation and to apply the same to the PROPERTY pursuant to the express and specific mandate of any superior governmental authority, and applicable generally within the CITY and not specifically to the PROPERTY, such ordinance or regulation shall apply to the PROPERTY and be complied with by DEVELOPER, provided, however, that any so-called "Grandfather" provision contained in such superior governmental mandate which would serve to exempt or delay implementation against the PROPERTY shall be given full force and effect. Furthermore, provided that the amended regulation is applicable and enforced generally and uniformly in the CITY. Nothing herein shall be construed as to prevent OWNER or DEVELOPER from contesting or challenging any such mandate of any superior governmental authority in any way legally possible, including, without limitation, by challenging such mandate on its face or as applied to the PROPERTY in any administrative or judicial forum having jurisdiction at developer's sole cost.

Notwithstanding any of the terms or provisions of this Agreement, however, no change, modification or enactment of any ordinance, code or regulation so long as they do not affect the CITY'S ISO insurance rating, shall be applied during said five (5) year period so as to: (i) affect the zoning classification of the PROPERTY or any Parcel or Phase thereof; (ii) affect the city's Bulk Regulations, including, but not limited to, setback, yard height, FAR and frontage requirements; (iii) affect the uses permitted under the Zoning Ordinances of the CITY specified in this Agreement; (iv) interpret any CITY ordinance in a way so as to prevent DEVELOPER or its assigns from developing the PROPERTY or any Parcel or Phase thereof in accordance with this Agreement and the exhibits attached hereto. Except as modified by the previous sentence and the provisions hereof or other terms and provisions of this Agreement, OWNER, shall comply in all respects with the conditions and requirements of all ordinances of the CITY, applicable to the PROPERTY and all property similarly situated and zoned within the CITY as such ordinances may exist from time to time subsequent to the annexation to the CITY, provided, however, notwithstanding any other provision of this Agreement, if there are ordinances, resolutions, regulations, or codes or changes therein which are less restrictive in their application to similarly situated and zoned lands, then DEVELOPER, at its election, shall be entitled to application of such less

restrictive ordinances, regulations and/or codes to the PROPERTY and any parcel or phase thereof.

DEVELOPER and all successor developers of the PROPERTY or any parcel or phase thereof shall be entitled to take advantage immediately of any subsequently adopted amendments to the CITY'S ordinances, regulations, resolutions and/or codes that establish provisions that are less restrictive than the provisions of the CITY'S current codes in effect as of the effective date of this Agreement so long as such less restrictive provisions do not frustrate the purpose of this Agreement or the intent of the parties relative to the development of the PROPERTY or any parcel or phase thereof. In the event of any conflict between the provisions of this Agreement (including the exhibits hereto), and the ordinances, codes, regulations and resolutions of the CITY, the provisions of this Agreement (and the exhibits hereto) shall control over the provisions of any ordinances, codes, regulations and resolutions of the CITY.

10. RECAPTURE.

See Paragraph 5 B above.

11. FEES AND CHARGES.

During the first four (4) years following the date of the Agreement, the CITY shall impose upon and collect from DEVELOPER, and their respective contractors and suppliers, only those permit, license, tap on and connection fees and charges, and in such amount or at such rate, as are in effect on the date of this Agreement and as is generally applied throughout the CITY, except as otherwise expressly provided for in this Agreement on the Fee Schedule attached hereto and made a part hereof as Exhibit "E". At the expiration of this four year term, the CITY shall give the OWNERS and/or DEVELOPER a six (6) month grace period from the date they are notified of any changes to the permit, license, tap on and connection fees and charges in order to comply with the new regulations.

12. PROJECT SIGNS.

Following the date of this Agreement and through the date of the issuance of the final occupancy permit for the PROPERTY, DEVELOPER shall be entitled to construct, maintain and utilize offsite subdivision identification, marketing and location signs at such locations within the corporate limits of the CITY as DEVELOPER may designate (individually an "Offsite Sign" and collectively the "Offsite Signs") subject to sign permit review and issuance by the CITY. OWNERS and DEVELOPER shall be responsible, at its expense, for obtaining all necessary and appropriate legal rights for the construction and use of each of the Offsite Signs. Each Offsite sign may be illuminated subject to approval by the CITY.

13. MODEL HOMES, PRODUCTION UNITS, SALES TRAILERS.

During the development and build out period of the PROPERTY (subsequent to final plat approval), DEVELOPER, and such other persons or entities as DEVELOPER may authorize, may construct, operate and maintain model homes and sales trailers within the PROPERTY staffed with developer's, or such other person's or entity's, sales and construction staff, and may be utilized for sales and construction offices for the PROPERTY. The number of such model homes and sales trailers and the locations thereof shall be as from

time to time determined or authorized by the DEVELOPER.

Off-street parking shall be required for model homes when more than five (5) model homes are constructed on consecutive lots in a model home row. Three (3) off-street spaces will be required for each model home in a model home row, with combined required parking not to exceed thirty (30) off-street spaces. A site plan showing the location of the parking areas and walks will be submitted for review and approval by the CITY.

No off-street parking shall be required for individual model homes or sales trailers that are not part of a model home row other than the driveway for such model home/sales trailer capable of parking three (3) cars outside of the adjacent road right-of-way. Building permits for model homes, sales trailers and for up to fifteen (15) production dwelling units for each neighborhood, shall be issued by the CITY upon proper application thereof prior to the installation of public improvements (provided a gravel access road is provided for emergency vehicles and upon submission of a temporary hold harmless letter to the CITY and the Bristol Kendall Fire Protection District). A final inspection shall be conducted prior to the use of a model home and water shall be made available within 150' of the model home. There shall be no occupation or use of any model homes or production dwelling units until the binder course of asphalt is on the street, and no occupation or use of any production dwelling units until the water system and sanitary sewer system needed to service such dwelling unit are installed and operational.

DEVELOPER may locate temporary sales and construction trailers upon the PROPERTY during the development and build out of said property, provided any such sales trailer shall be removed within one (1) week following issuance of the last temporary permit for the PROPERTY. A building permit will be required by the CITY for any trailer that will be utilized as office space. Prior to construction of the sales trailer DEVELOPER shall submit an exhibit of the sales trailer site with landscaping and elevations for the City's approval.

DEVELOPER hereby agrees to indemnify, defend and hold harmless the CITY and the Corporate Authorities (collectively "Indemnitees") from all claims, liabilities, costs and expenses incurred by or brought against all or any of the Indemnitees as a direct and proximate result of the construction of any model homes or production dwelling units prior to the installation of the public street and water improvements required to service such dwelling unit. DEVELOPER shall be permitted to obtain building permits in the same manner for additional model homes and for initial production dwelling units in each neighborhood as the Final Plat and Final Engineering for each such neighborhood is approved by the CITY. The foregoing indemnification provision shall, in such case, apply for the benefit of Indemnitees for each phase.

14. CONTRACTORS TRAILERS.

The CITY agrees that from and after the date of execution of this Agreement, contractor's and subcontractor's supply storage trailers may be placed upon such part or parts of the PROPERTY as required and approved by the DEVELOPER for development purposes. Said trailers may remain upon the PROPERTY until the issuance of the last temporary occupancy permit for the PROPERTY. A building permit will be required by the CITY for any trailer that will be utilized as office space. All contractor's trailers and supply trailers shall be kept in good working order and the area will be kept clean and free of debris.

No contractor's trailers or supply trailers will be located within dedicated right-of-way or permanent easements.

15. ONSITE EASEMENTS AND IMPROVEMENTS.

In the event that during the development of the PROPERTY, DEVELOPER determines that any existing utility easements and/or underground lines require relocation to facilitate the completion of Developer's obligation for the PROPERTY in accordance with the Preliminary Plan, the CITY shall fully cooperate with the DEVELOPER in causing the vacation and relocation of such existing easements and/or utilities, however, all costs incurred in furtherance thereof shall be borne by the DEVELOPER. If any easement granted to the CITY as a part of the development of the PROPERTY is subsequently determined to be in error or located in a manner inconsistent with the intended development of the PROPERTY as reflected on the Preliminary Plan and in this Agreement, the CITY shall fully cooperate with the DEVELOPER in vacating and relocating such easement and utility facilities located therein, which costs shall be borne by the DEVELOPER. Notwithstanding the foregoing, and as a condition precedent to any vacation of easement, the DEVELOPER shall pay for the cost of design and relocation of any such easement and the public utilities located therein unless the relocation involves overhead utilities. If any existing overhead utilities are required to be relocated or buried on perimeter roads that are the responsibility of the DEVELOPER, the CITY agrees to be the lead agency in the relocation of those utilities. Upon the developer's request, the CITY will make the request to have overhead utilities relocated and will make the relocation of such utilities a CITY run project. In the event there is a cost to the DEVELOPER associated with burying what had been overhead utility lines, the DEVELOPER shall have the right to make the determination as to whether the utility lines will be buried or re-located overhead. However, as to existing overhead utilities adjoining the PROPERTY and on the south side of Route 126, the DEVELOPER shall bury said overhead utilities if the CITY approves an ordinance, applicable to all future CITY subdivisions, requiring the burying of overhead utilities. Said ordinance must be approved prior to the commencement of the work to relocate the overhead utilities.

The CITY hereby grants any necessary variances to the CITY subdivision and/or Improvement ordinances as they relate to street block lengths in order to conform with the proposed preliminary plan.

The CITY agrees to allow up to four feet (4') of bounce in any wet stormwater management facility.

16. MASS GRADING.

Pursuant to the existing CITY ordinances on the date of execution of this Agreement, a Soil Erosion Control Permit will be issued after preliminary plat approval to allow DEVELOPER to commence earth work after the permit is issued and after DEVELOPER posts any necessary bond for said work with the CITY prior to the commencement of said earth work. DEVELOPER shall comply in all respects with all applicable Illinois EPA regulations and the CITY's Soil Erosion and Sediment Control Ordinance.

17. BINDING EFFECT AND TERM.

This Annexation Agreement shall be binding upon and inure to the benefit of the

parties hereto, their successors and assigns including, but not limited to, successor owners of record, successor developers, lessees and successor lessees, and upon any successor municipal authority of the CITY and successor municipalities for a period of twenty (20) years from the later of the date of execution hereof and the date of adoption of the ordinances pursuant hereto.

18. NOTICES AND REMEDIES.

Nothing contained herein shall require the original named OWNERS in this Agreement to undertake any of the development obligations in this Agreement; those obligations being the responsibility of the DEVELOPER of the PROPERTY and/or future OWNER/ DEVELOPER of the PROPERTY.

Upon a breach of this Agreement, any of the parties in any court of competent jurisdiction, by any action or proceeding at law or in equity, may exercise any remedy available at law or equity.

Before any failure of any party of this Agreement to perform its obligations under this Agreement shall be deemed to be a breach of this Agreement, the party claiming such failure shall notify in writing, by certified mail/return receipt requested, the party alleged to have failed to perform, state the obligation allegedly not performed and the performance demanded. Notice shall be provided at the following addresses:

CITY:	UNITED CITY OF YORKVILLE 800 Game Farm Road Yorkville, IL 60560 Attn: Mayor
Copy to:	CITY Attorney John J. Wyeth 800 Game Farm Road Yorkville, IL 60560
DEVELOPER:	Yorkville Farms Development, LLC 16501 South Parker Road Homer Glen, IL 60491
DEVELOPER'S ATTORNEY:	James Olguin Goldstein, Skrodzki, Russian, Nemec & Hoff, Ltd. 835 McClintock Drive, Second Floor Burr Ridge, Illinois 60527-0860 Telephone (630) 655-6000 Facsimile (630) 655-9808

20. AGREEMENT TO PREVAIL OVER ORDINANCES.

In the event of any conflict between this Agreement and any ordinances of the CITY in force at the time of execution of this agreement or enacted during the pendency of this agreement, the provision of this Agreement shall prevail to the extent of any such conflict or

inconsistency.

21. PARTIAL INVALIDITY OF AGREEMENT.

If any provision of this Agreement (except those provisions relating to the requested rezoning of the PROPERTY identified herein and the ordinances adopted in connection herewith), or its application to any person, entity, or property is held invalid, such provision shall be deemed to be excised herefrom and the invalidity thereof shall not affect the application or validity of any, other terms, conditions and provisions of this Agreement and, to that end, any terms, conditions and provisions of this Agreement are declared to be severable.

If, for any reason during the term of this Agreement, any approval or permission granted hereunder regarding plans or plats of subdivision or zoning is declared invalid, the CITY agrees to take whatever action is necessary to reconfirm such plans and zoning ordinances effectuating the zoning, variations and plat approvals proposed herein.

22. GENERAL PROVISIONS.

A. **Enforcement.** This Agreement shall be enforceable in the Circuit Court of Kendall County by any of the parties or their successors or assigns by an appropriate action at law or in equity to secure the performance of the covenants and agreements contained herein, including the specific performance of this Agreement. This Agreement shall be governed by the laws of the State of Illinois.

B. **Successors and Assigns.** This Agreement shall inure to the benefit of and be binding upon the OWNERS, DEVELOPER and their successors in title and interest, and upon the CITY, and any successor municipalities of the CITY. It is understood and agreed that this Agreement shall run with the land and as such, shall be assignable to and binding upon each and every subsequent grantee and successor in interest of the OWNERS and DEVELOPER, and the CITY. The foregoing to the contrary notwithstanding, the obligations and duties of OWNERS and DEVELOPER hereunder shall not be deemed transferred to or assumed by any purchaser of a empty lot or a lot improved with a dwelling unit who acquires the same for residential occupation, unless otherwise expressly agreed in writing by such purchaser.

C. **Terms and Conditions.** This Agreement contains all the terms and conditions agreed upon by the parties hereto and no other prior agreement, regarding the subject matter hereof shall be deemed to exist to bind the parties. The parties acknowledge and agree that the terms and conditions of this Agreement, including the payment of any fees, have been reached through a process of good faith negotiation, both by principals and through counsel, and represent terms and conditions that are deemed by the parties to be fair, reasonable, acceptable and contractually binding upon each of them.

D. **Severability.** This Agreement is entered into pursuant to the provisions of Chapter 65, Sec. 5/11-15.1-1, et seq., Illinois Compiled Statutes (2002). In the event any part or portion of this Agreement, or any provision, clause, word, or designation of this Agreement is held to be invalid by any court of competent jurisdiction, said part, portion, clause, word or designation of this Agreement shall be deemed to be excised from this Agreement and the invalidity thereof shall not effect such portion or portions of this

Agreement as remain. In addition, the CITY and OWNERS and DEVELOPER shall take all action necessary or required to fulfill the intent of this Agreement as to the use and development of the PROPERTY.

E. Agreement. This Agreement, and any Exhibits or attachments hereto, may be amended from time to time in writing with the consent of the parties, pursuant to applicable provisions of the City Code and Illinois Compiled Statutes. This Agreement may be amended by the CITY and the owner of record of a portion of the PROPERTY as to provisions applying exclusively thereto, without the consent of the owner of other portions of the PROPERTY not affected by such Agreement.

F. Conveyances. Nothing contained in this Agreement shall be construed to restrict or limit the right of the OWNERS and DEVELOPER to sell or convey all or any portion of the PROPERTY, whether improved or unimproved.

G. Necessary Ordinances and Resolutions. The CITY shall pass all ordinances and resolutions necessary to permit the OWNERS and DEVELOPER, and their successors or assigns, to develop the PROPERTY in accordance with the provisions of this Agreement, provided said ordinances or resolutions are not contrary to law. The CITY agrees to authorize the Mayor and City Clerk to execute this Agreement or to correct any technical defects which may arise after the execution of this Agreement.

H. Term of Agreement. The term of this Agreement shall be twenty (20) years. In the event construction is commenced within said twenty-year period all of the terms of this Agreement shall remain enforceable despite said time limitation, unless modified by written agreement of the CITY and DEVELOPER/OWNERS.

I. Captions and Paragraph Headings. The captions and paragraph headings used herein are for convenience only and shall not be used in construing any term or provision of this Agreement.

J. Recording. This Agreement shall be recorded in the Office of the Recorder of Deeds, Kendall County, Illinois, at OWNERS and developer's expense.

K. Recitals and Exhibits. The recitals set forth at the beginning of this Agreement, and the exhibits attached hereto, are incorporated herein by this reference and shall constitute substantive provisions of this Agreement.

L. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document.

M. Time is of the Essence. Time is of the essence of this Agreement and all documents, agreements, and contracts pursuant hereto as well as all covenants contained in this Agreement shall be performed in a timely manner by all parties hereto.

N. Exculpation. It is agreed that the CITY is not liable or responsible for any restrictions on the city's obligations under this Agreement that may be required or imposed by any other governmental bodies or agencies having jurisdiction over the PROPERTY, the CITY, the DEVELOPER and OWNERS, including, but not limited to, county, state or federal regulatory bodies.

23. USE OF PROPERTY FOR FARMING/ZONING.

Any portion of the PROPERTY, which is not conveyed or under development as provided herein, may be used for farming purposes, regardless of the underlying zoning.

IN WITNESS WHEREOF, the parties have executed this Annexation Agreement the day and year first above written.

CITY:
THE UNITED CITY OF YORKVILLE

By: Arthur H. Hochstadt, Jr.
MAYOR

Attest: Magdalena M. Gachinski
CITY CLERK

RECORD OWNER/DEVELOPER

YORKVILLE FARMS DEVELOPMENT, LLC

BY: Michael D. Hays

EXHIBITS

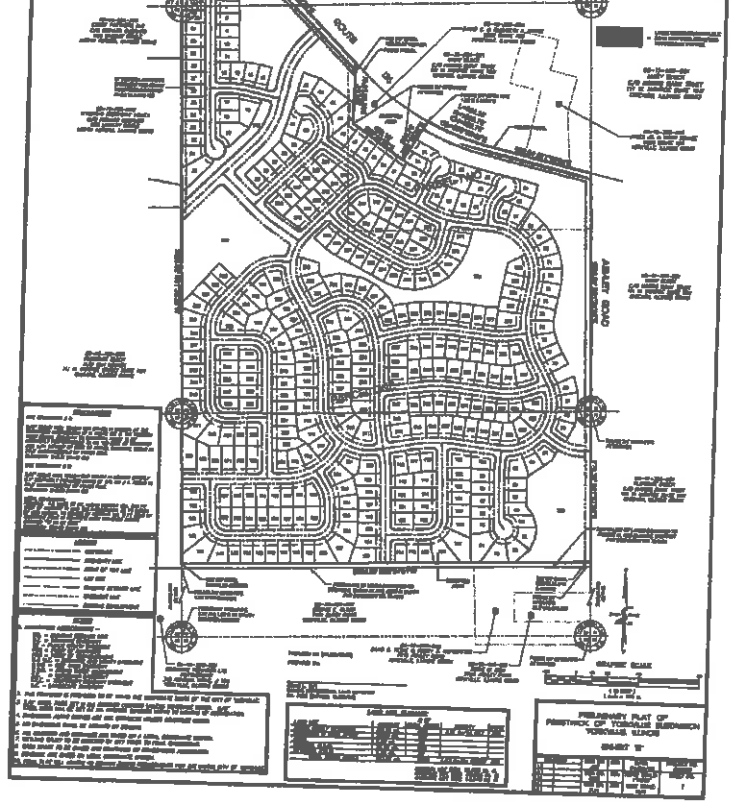
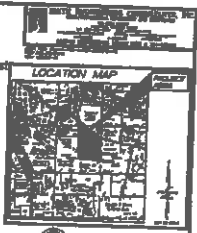
EXHIBIT "A"	Legal Description of Property
EXHIBIT "B"	Preliminary Plat
EXHIBIT "C"	Temporary Lift Station
EXHIBIT "D"	Improvements
EXHIBIT "E"	Fee Schedule

1. The first step is to identify the problem. In this case, the problem is that the company is not meeting its sales targets.

[illegible][illegible][illegible]

Yorkville, Illinois
Kendall Township, Kendall County
Section 10, Township 36 North, Range 7 East
Existing Zoning - (Kendall County, A-1)
Proposed Zoning - (City of Yorkville, R-2)
Plat Prepared for:
Yorkville Farms Development, L.L.C.
1650 S. Parker Road

Homeier Glen, Illinois 60481
Phone: (708) 252-1751
Fax: (708) 845-0044
Project Contact:
Mr. John Kabisch
Mr. Michael Hager
Engineering Contact:
John J. Kabisch A.E., Structural Engineer & Lead Engineer
Phone: 708-752-1751
1000 S. 10th St., Naperville, Illinois
60563-1470
845-0044
John J. Kabisch, P.E., Senior Design Engineer

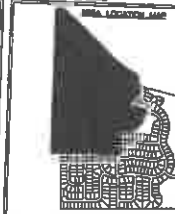


PRELIMINARY PLAN OF
PARTISANSHIP OF YOUNG MEN
FOR THE SERVICE

SECRET

NAME	AGE	DATE	PLACE	REMARKS
1	21	1941	NEW YORK	
2	22	1942	NEW YORK	
3	23	1943	NEW YORK	
4	24	1944	NEW YORK	
5	25	1945	NEW YORK	
6	26	1946	NEW YORK	
7	27	1947	NEW YORK	
8	28	1948	NEW YORK	
9	29	1949	NEW YORK	
10	30	1950	NEW YORK	

**PRELIMINARY PLAT OF
PRESTWICK OF YORKVILLE SUBDIVISION**

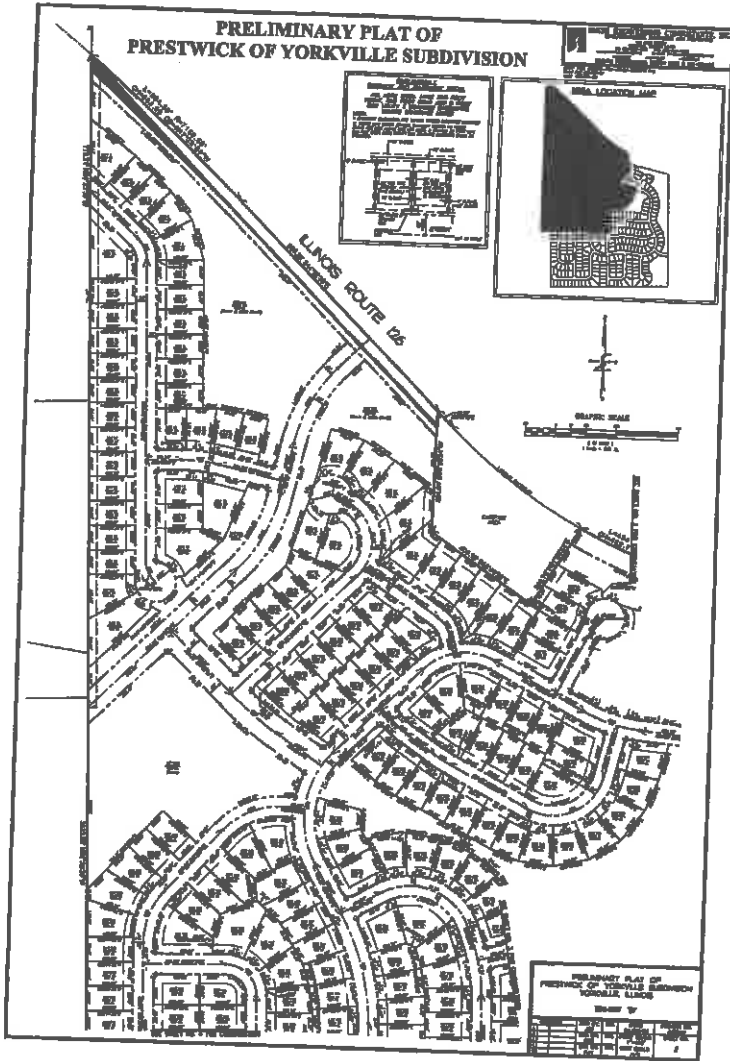


LEGEND

1. LOT 1
2. LOT 2
3. LOT 3
4. LOT 4
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99. LOT 99
100. LOT 100

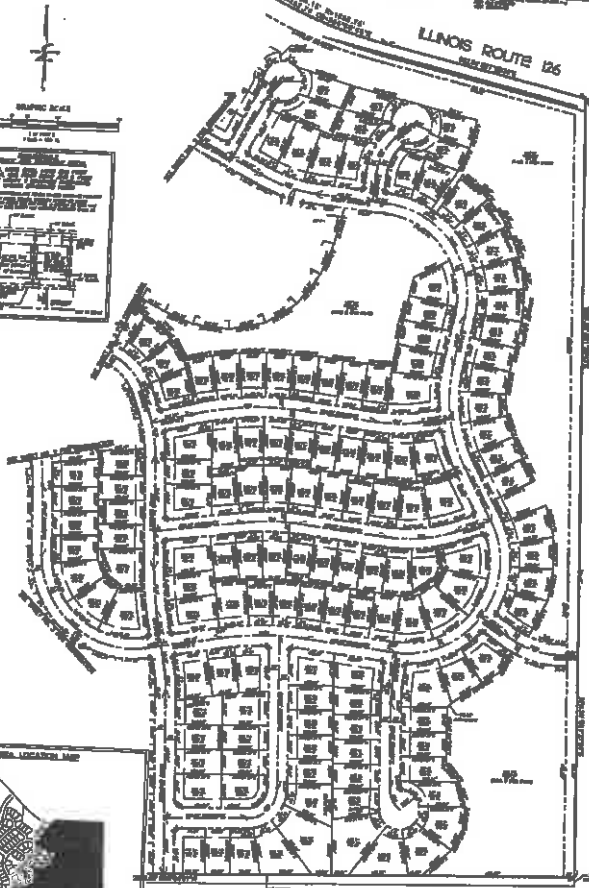
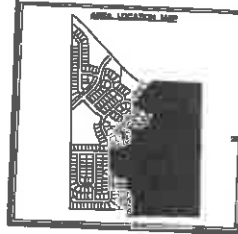
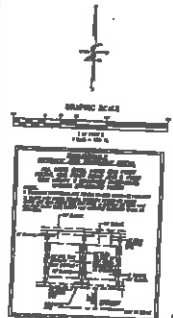


GRAPHIC SCALE
0 10 20 30 40 50 60 70 80 90 100
FEET



**PRELIMINARY PLAT OF
PRESTWICK OF YORKVILLE SUBDIVISION
YORKVILLE, ILLINOIS
SHEET 1**

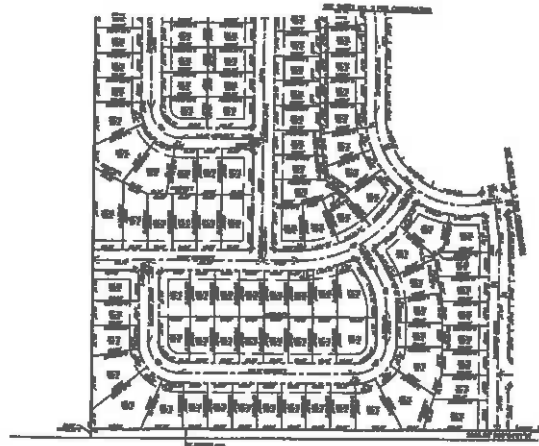
PRELIMINARY PLAT OF PRESTWICK OF YORKVILLE SUBDIVISION



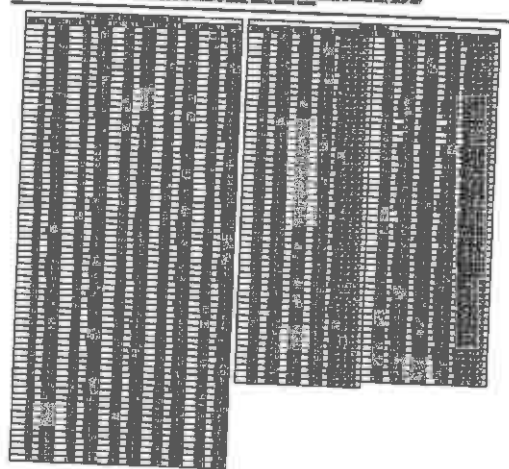
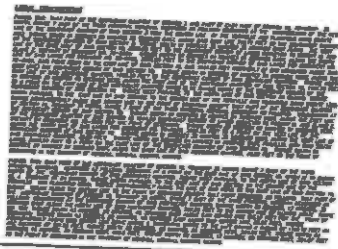
PRELIMINARY PLAT OF
PRESTWICK OF YORKVILLE SUBDIVISION
SHEET 7

LOT	ACRES	OWNER
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THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
505 EAST HALL
CHICAGO, ILL. 60637
TEL: 773-936-5000
FAX: 773-936-5000
WWW: WWW.CHEM.UCHICAGO.EDU



THE

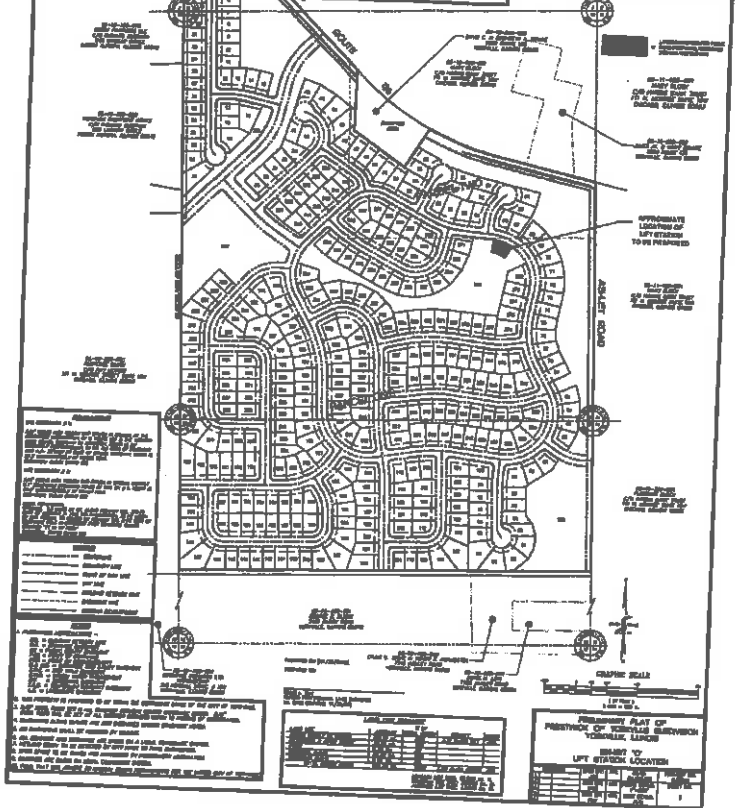
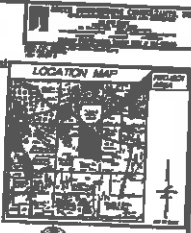


PHILADELPHIA PLANT OF
FORD MOTOR CO.
PHILADELPHIA, PA.
1957

PRELIMINARY PLAT OF PRESTWICK OF YORKVILLE SUBDIVISION

Kendall Township, Kendall County
 Section 10, Township 36 North, Range 7 East
 Existing Zoning - (Kendall County, R-1)
 Proposed Zoning - (City of Yorkville, R-2)
 Yorkville Farm Development, L.L.C.
 1630 S. Parker Road
 Homer Glen, Illinois 60431
 Phone: (708) 226-1751
 Fax: (708) 648-0044
 Project Contact:
 Mr. Mark Kiehl
 Mr. Michael Harper

Public Hearing Notice
 After a public hearing held on the 10th day of June 2004
 at the City of Yorkville, Illinois
 the following was adopted:
 1. The City of Yorkville, Illinois, hereby approves the
 2. The City of Yorkville, Illinois, hereby approves the
 3. The City of Yorkville, Illinois, hereby approves the



NOTES:
 1. The plat is subject to the following conditions:
 2. The plat is subject to the following conditions:
 3. The plat is subject to the following conditions:
 4. The plat is subject to the following conditions:
 5. The plat is subject to the following conditions:
 6. The plat is subject to the following conditions:
 7. The plat is subject to the following conditions:
 8. The plat is subject to the following conditions:
 9. The plat is subject to the following conditions:
 10. The plat is subject to the following conditions:

Lot	Area	Owner
1	0.12	Yorkville Farm Development, L.L.C.
2	0.12	Yorkville Farm Development, L.L.C.
3	0.12	Yorkville Farm Development, L.L.C.
4	0.12	Yorkville Farm Development, L.L.C.
5	0.12	Yorkville Farm Development, L.L.C.
6	0.12	Yorkville Farm Development, L.L.C.
7	0.12	Yorkville Farm Development, L.L.C.
8	0.12	Yorkville Farm Development, L.L.C.
9	0.12	Yorkville Farm Development, L.L.C.
10	0.12	Yorkville Farm Development, L.L.C.

Lot	Area	Owner
11	0.12	Yorkville Farm Development, L.L.C.
12	0.12	Yorkville Farm Development, L.L.C.
13	0.12	Yorkville Farm Development, L.L.C.
14	0.12	Yorkville Farm Development, L.L.C.
15	0.12	Yorkville Farm Development, L.L.C.
16	0.12	Yorkville Farm Development, L.L.C.
17	0.12	Yorkville Farm Development, L.L.C.
18	0.12	Yorkville Farm Development, L.L.C.
19	0.12	Yorkville Farm Development, L.L.C.
20	0.12	Yorkville Farm Development, L.L.C.

[illegible]

Prestwick of Yorkville
FEES PER UNIT

A paid receipt from the School District Office, 602-A Center Parkway Yorkville, must be presented to the City prior to issuance of permit	\$3,000
Separate Yorkville-Bristol Sanitary District fee - made payable to Y.B.S.D.	\$1,400

United City of Yorkville Fees

1. Building Permit				
Cost \$850 plus \$0.20 per square foot				\$850 + \$0.20(SF)
2. Water Connection Fees	SF and DU			\$2,890
	2+ Bed Ad			N / A
3. Water Meter Cost	Detached Units			\$250
	Attached Units			N / A
4. City Sewer Connection Fees				\$2,000
5. Water and Sewer Inspection Fee				\$25
6. Public Walks/Driveway Inspection Fee				\$35
7. Development Fees				
Public Works				\$700
Police				\$300
Building				\$150
Library				\$500
Parks & Recreation				\$50
Engineering				\$100
Bristol-Kendall Fire see note c below				<u>\$500</u>
Development Fees Total				\$2,300
8. Land Cash Fees see note "a" below	Apartment	Townhome	Duplex	Single Family
Park	N / A	N / A	N / A	\$1,608.81
School	<u>N / A</u>	<u>N / A</u>	<u>N / A</u>	<u>\$4,780</u>
Land-Cash Fees Total	\$0.00	\$0.00	\$0.00	\$6,388.29
9. Road Contribution				\$2,000
10. Weather Warning Siren Fee	see note "b" below			\$75/acre

Note: PUD agreement specifies that these fees are to be discounted

- a. For upfront land-cash donations figures, please refer to "Land-Cash" worksheet
b. \$75 x 193.8 = \$14,535
c. 50% of BKFD is to be paid at final plat (\$172,600)

United City of Yorkville Land Cash Analysis for Prestwick of
Yorkville

26-Apr-05

ESTIMATED POPULATION PER DWELLING UNIT						
TYPE	PRE-SCH	ELEMENT	JHS	HS	ADULTS	TOTAL
DETACHED SINGLE FAMILY						
2 BDRM	0.102	0.191	0.084	0.067	1.084	2.008
3 BDRM	0.284	0.44	0.135	0.179	1.821	2.822
4 BDRM	0.413	0.685	0.19	0.34	2.142	3.75
5 BDRM	0.238	0.455	0.188	0.248	2.637	3.749
ATTACHED SINGLE FAMILY (TOWNHOMES & DUPLEXES)						
1 BDRM	0	0.084	0.018	0.007	1.088	1.187
2 BDRM	0.062	0.188	0.088	0.074	1.778	2.198
3 BDRM	0.201	0.329	0.088	0.109	1.808	2.822
4 BDRM	0.382	0.652	0.13	0.205	2.343	3.382
APARTMENTS						
Efficiency	0	0.084	0.018	0.007	1.38	1.479
1 BDRM	0	0.84	0.18	0.088	1.748	1.888
2 BDRM	0.042	0.18	0.048	0.079	1.914	1.84
3 BDRM	0.05	0.338	0.085	0.133	2.438	3.137

DEVELOPMENT SPECIFICATIONS	
Detached Single Family	= 348
Attached Duplex	= 0
Attached Townhomes	= 0
Attached Apartments	= 0
Total Units	= 348

POPULATION CALCULATIONS						
TYPE	% of Units with BDRM Number	PRE-SCHOOL	ELEMENTARY	JUNIOR HIGH SCHOOL	HIGH SCHOOL	ADULTS
DETACHED SINGLE FAMILY						
2 BDRM	0%	0	0	0	0	0
3 BDRM	0%	0	0	0	0	0
4 BDRM	100%	142.485	229.425	85.55	117.3	738.99
5 BDRM	0%	0	0	0	0	0
TOTAL	100%	142.485	229.425	85.55	117.3	738.99
ATTACHED DUPLEX						
1 BDRM	0%	0	0	0	0	0
2 BDRM	50%	0	0	0	0	0
3 BDRM	50%	0	0	0	0	0
4 BDRM	0%	0	0	0	0	0
TOTAL	100%	0	0	0	0	0
ATTACHED TOWNHOMES						
1 BDRM	0%	0	0	0	0	0
2 BDRM	100%	0	0	0	0	0
3 BDRM	0%	0	0	0	0	0
4 BDRM	0%	0	0	0	0	0
TOTAL	100%	0	0	0	0	0
APARTMENTS						
Efficiency	0%	0	0	0	0	0
1 BDRM	0%	0	0	0	0	0
2 BDRM	100%	0	0	0	0	0
3 BDRM	0%	0	0	0	0	0
TOTAL	100%	0	0	0	0	0

PARKS CALCULATION

Land required for detached single family 12.938 acres
+ Land requirement for attached duplexes 0.000 acres
+ Land required for attached townhomes 0.000 acres
+ Land required for apartments 0.000 acres
TOTAL PARK LAND-CASH REQUIREMENT FOR DEVELOPMENT 12.938 ACRES

Total park land-cash requirement for development 12.938 acres
- Park acreage dedicated 6.938 acres
REMAINING UNFULFILLED LAND-CASH REQUIREMENT 6.938 ACRES

Remaining unfulfilling land-cash requirement 6.938 acres
x Current land-cash acreage value \$850,000 per acre
REMAINING LAND-CASH REQUIREMENT LAND VALUE \$5,900,040

What amount (if any) will be paid up front by the developer? \$0

REVISED PARK LAND-CASH REQUIREMENT AFTER UP FRONT FUNDING: \$5,900,040

	Unit PE	% of Total PE
Single Family PE	1293.75	100%
Duplex PE	0	0%
Townhomes PE	0	0%
Apartments PE	0	0%
Single Family Permit:	\$1,808.31	
Duplex Permit:	N/A	
Townhomes Permit:	N/A	
Apartments Permit:	N/A	

SCHOOL COMPUTATION

DETACHED SINGLE FAMILY ACRE REQUIREMENT
Elementary 6.367 acres
+ Junior HS 2.428 acres
+ High School 9.802 acres
TOTAL 20.616 ACRES

ATTACHED DUPLEX ACRE REQUIREMENT
Elementary 0.000 acres
+ Junior HS 0.000 acres
+ High School 0.000 acres
TOTAL 0.000 ACRES

ATTACHED TOWNHOMES ACRE REQUIREMENT
Elementary 0.000 acres
+ Junior HS 0.000 acres
+ High School 0.000 acres
TOTAL 0.000 ACRES

APARTMENTS ACRE REQUIREMENT
Elementary 0.000 acres
+ Junior HS 0.000 acres
+ High School 0.000 acres
TOTAL 0.000 ACRES

TOTAL SCHOOL LAND-CASH ACREAGE REQUIRED: 20.616 ACRES

Total school land-cash acreage required 20.616 acres
- School acreage dedicated 0.000 acres
REMAINING SCHOOL LAND CASH REQUIREMENT 20.616 ACRES

Remaining school land-cash requirement 20.616 acres
x Current land-cash acreage value \$7,348,000 per acre
REMAINING LAND CASH REQUIREMENT VALUE \$1,514,000,000

What amount (if any) will be paid up front by the developer? \$0

REVISED LAND-CASH REQUIREMENT AFTER UP FRONT FUNDING: \$1,514,000,000

Single Family Permit:	\$4,780.46
Duplex Permit:	N/A
Townhomes Permit:	N/A
Apartments Permit:	N/A



201300022150

DEBBIE
GILLETTE
KENDALL COUNTY, IL

RECORDED: 10/30/2013 12:37 PM
ORDI: 64.00 RHSPS FEE: 10.00
PAGES: 19

**UNITED CITY OF YORKVILLE
KENDALL COUNTY, ILLINOIS**

ORDINANCE NO. 2013-56

AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS,
APPROVING THE FIRST AMENDMENT TO THE ANNEXATION AGREEMENT OF
YORKVILLE FARMS DEVELOPMENT – PRESTWICK OF YORKVILLE SUBDIVISION
(YORKVILLE CHRISTIAN SCHOOL SUBDIVISION)

The Prestwick of Yorkville Subdivision Annexation Agreement was
recorded on December 19, 2005 as Document #200500039118.

Passed by the City Council of the
United City of Yorkville, Kendall County, Illinois
This 8th day of October, 2013

Prepared by and Return to:
United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560

Published in pamphlet form by the
authority of the Mayor and City Council
of the United City of Yorkville, Kendall
County, Illinois on October 16, 2013.

Ordinance No. 2013- 56

AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, APPROVING THE FIRST AMENDMENT TO THE ANNEXATION AGREEMENT OF YORKVILLE FARMS DEVELOPMENT – PRESTWICK OF YORKVILLE SUBDIVISION (Yorkville Christian School)

WHEREAS, the United City of Yorkville (the “City”) is a duly organized and validly existing non home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, the City and John and Michelle Stewart (the “Owner”), as successors to the original owners, desire to amend the Annexation Agreement, to provide for the resubdivision of Lot 358 for a private high school, amend the required donations and contributions and seek exceptions to the Zoning Ordinance; and,

WHEREAS, a public hearing was conducted by the Mayor and City Council (the “Corporate Authorities”) on the amended annexation agreement on August 27, 2013, and all notices required by law have been given by the City and Owner; and,

WHEREAS, the statutory procedures provided in Section 11-15.1-1 of the Illinois Municipal Code for the execution of the amended annexation agreement have been fully complied with; and,

WHEREAS, the Corporate Authorities have concluded that the approval and execution of the proposed First Amendment to the Annexation Agreement is in the best interests of the health, safety, and welfare of the City.

WHEREAS, the City and Owner desire to proceed in accordance with the terms and conditions as set forth in the First Amendment to the Annexation Agreement.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, as follows:

Section 1: The above recitals are incorporated and made a part of this Ordinance.

Section 2: The *First Amendment to the Annexation Agreement of Yorkville Farms Development and the City of Yorkville (Prestwick of Yorkville Subdivision)* attached hereto and made a part hereof by reference as Exhibit A is hereby approved; and the Mayor and City Clerk are hereby authorized and directed to execute and deliver same.

Section 3: This Ordinance shall be in full force and effect upon its passage, approval, and publication as provided by law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this 8 day of October, 2013.


CITY CLERK

ROSE ANN SPEARS

KEN KOCH

CARLO COLOSIMO

CHRIS FUNKHOUSER

N
Y
Y
Y

DIANE TEELING

JACKIE MILSCHEWSKI

JOEL FRIEDERS

LARRY KOT

Y
Y
Y
Y

Approved by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this 10 day of
OCTOBER 2013.

Mary J. Golink
MAYOR

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

FIRST AMENDMENT TO THE ANNEXATION AGREEMENT OF
YORKVILLE FARMS DEVELOPMENT AND THE UNITED CITY OF YORKVILLE
(PRESTWICK OF YORKVILLE SUBDIVISION)

This First Amendment to the Annexation Agreement (the "AMENDMENT"), is made and entered into this 8 day of OCTOBER, 2013, by and between the UNITED CITY OF YORKVILLE, a municipal corporation (the "CITY"), and the owner of record John C. Stewart and Michelle L. Stewart, ("OWNER" or "DEVELOPER" or "OWNER/DEVELOPER").

WITNESSETH

WHEREAS, OWNER owns fee simple title to the real property which is legally described in Exhibit "A" attached hereto, consisting of approximately 190 acres, more or less (hereinafter "PROPERTY");

WHEREAS, on April 26, 2005, the CITY annexed and zoned the PROPERTY in an R-2 Single Family Residence District in accordance with the terms of the "Annexation Agreement of Yorkville Farms Development and The United City of Yorkville" ("AGREEMENT");

WHEREAS, the original owner and developer under the Agreement was unable to complete the development of the PROPERTY;

WHEREAS, the Final Plat for Unit 1 of the Property was recorded and the improvements required under Unit 1 were substantially completed;

WHEREAS, the Final Plat for Unit 2 was not recorded;

WHEREAS, the OWNER/DEVELOPER subsequently acquired the PROPERTY, described in Exhibit "A" to the AMENDMENT;

WHEREAS, the OWNER/DEVELOPER desires to amend the AGREEMENT to provide for a re-subdivision of Lot 358 for a private high school; amend the donations and contributions; and seek other exceptions to the Zoning Ordinance;

WHEREAS, R-2 Zoning under the CITY's ordinances allows for a school as a permitted use;

WHEREAS, all notices required by law relating to this AMENDMENT have been given to the persons or entities entitled thereto, pursuant to the applicable provisions of the Illinois Compiled Statutes;

WHEREAS, the Corporate Authorities of the CITY have duly fixed the time for a public hearing on this AMENDMENT and pursuant to legal notice have held such hearing thereon all as required by the provisions of the Illinois Compiled Statutes;

WHEREAS, the Corporate Authorities have duly held all public hearings relating to AMENDMENT all as required by the provisions of the CITY's Ordinances and Illinois Compiled Statutes;

WHEREAS, in accordance with the powers granted to the CITY by the provisions of 65 ILCS 5/11-15.1-1 through 15.1-5 (2002), inclusive, relating to annexation agreements, the parties hereto wish to enter into this binding AMENDMENT of the AGREEMENT and to provide for various other matters related directly or indirectly to amending the annexation of the PROPERTY, as authorized by, the provisions of said statutes;

WHEREAS, pursuant to due notice and publication in the manner provided by law, the Plan Commission of the CITY have had such public hearing and have taken all further action required by the provisions of 65 ILCS 5/11-15-1.3 (2002) and the ordinances of the CITY relating to the procedure for authorization, approval and execution of the subdivision of Lot 358 by the CITY.

NOW, THEREFORE, in consideration of the mutual covenants, agreements and conditions herein contained, and by authority of and in accordance with the aforesaid statutes of the State of Illinois, the parties agree as follows:

1. AMENDMENT TO AGREEMENT.

OWNER has filed with the Clerk of the CITY a duly and properly executed Application to Amend Annexation Agreement pursuant to, and in accordance with the provisions of 65 ILCS 5/7-1-1 et seq. (2002). CITY agrees to adopt any necessary ordinances to amend the AGREEMENT as soon as reasonably practical. To the extent there is a conflict between the terms of the AMENDMENT and the AGREEMENT, the terms of the AMENDMENT shall control.

2. ZONING. That said paragraph be amended as follow:

A. PROPERTY shall be developed in substantial compliance with the ordinances of the CITY in effect at the time of passage of this AMENDMENT to AGREEMENT except as modified by said AMENDMENT.

B. The CITY shall approve the revised final plat of subdivision of Lot 358 in Prestwick of Yorkville, Unit 1, prepared by HR Green dated July 2, 2013, last revised September 9, 2013, attached hereto as Exhibit B.

3. Paragraph 5 DONATIONS AND CONTRIBUTIONS, be amended as follows:

A. DEVELOPER shall receive a credit against all City and County road impact fees for the improvements by the DEVELOPER to Il Route 126 at Penman Road, Ashley Road and Route 126 intersection and Ashley Road improvements adjacent to the PROPERTY.

B. DEVELOPER shall pay revised school and park land-cash fees or provide land dedication as required under the terms of this AMENDMENT and Exhibit C attached hereto.

4. Paragraph 6 SECURITY INVESTMENTS. Amend by providing an additional paragraph to read as follows:

OWNER/DEVELOPER has provided CITY with a Subdivision Bond for the Prestwick Subdivision in the amount of One-Million Eight-Hundred Seventy-Nine Thousand Six Hundred Eighty-Four and 00/100's Dollars (\$1,879,684.00). CITY agrees to reduce said bond so as not to bond for street parkway/trees and public side-walk improvements. CITY agrees to instead obtain any surety needed for such improvements from the builder of the home on each lot.

Developer will provide any required security for the high school improvements, including roadways.

5. Paragraph 9 AMENDMENTS TO ORDINANCES. Amend to read as follows:

CITY agrees to amend the five (5) years where referenced throughout said paragraph to ten (10) years, said ten (10) years commencing from the approval date of this AMENDMENT.

6. Paragraph 11 FEES AND CHARGES. Shall be revised as follows:

Notwithstanding the provisions of the AGREEMENT the fees due and owing to the CITY for those fees and amounts shall be set forth in the revised Exhibit C attached hereto and made a part of this AMENDMENT.

The Owner acknowledges that the donations contained in this Agreement, and the City Code, are made voluntarily by the OWNER, and the OWNER hereby waives for itself and its successors and assigns the right to contest at any time in the future, the validity or the amount of the donations.

7. Paragraph 18 NOTICES AND REMEDIES. Shall be amended as follows:

City Attorney: Kathleen Field-Orr & Associates
53 W. Jackson Boulevard, Suite 964
Chicago, Illinois 60604

Developer: John C. Stewart and Michelle L. Stewart
3874 N. IL Route 71
Sheridan, IL 60118

Developer Attorney:

John F. Philipchuck
Dommermuth, Cobine, West, Gensler,
Philipchuck, Corrigan and Bernhard, Ltd.
111 E. Jefferson Ave., Suite 200
Naperville, IL 60540
Telephone: 630-355-5800
Facsimile: 630-355-5976

8. Paragraph 22 GENERAL PROVISIONS.

H. Term of Agreement Shall be amended as follows:

The term of this AGREEMENT shall be twenty (20) years. In the event that a permit for construction is issued within said twenty-year period all of the terms of this AGREEMENT for that permit shall remain enforceable despite said time limitation, unless modified by written agreement of the CITY and OWNER/DEVELOPER.

9. Add an additional paragraph 24. SCHOOL PROPERTY.

OWNER/DEVELOPER intends to develop the re-subdivided Lot 358 to accommodate an approximately 32 acre site for a private high school. CITY agrees that the existing R-2 One-Family Residence allows as a permitted use schools; including denominational or private, elementary and high, including playgrounds, garages for school buses and athletic fields. In addition, the CITY agrees to permit the following accessory and auxiliary uses all as permitted uses:

- Retail store, not to exceed 3,000 square feet, to be located completely within the school building and selling school supplies, plants and produce grown on the property, and spirit wear. Plants and produce may be sold seasonally outside.
- Equestrian/riding arena; temporary stabling used solely for intramural and extramural sports and tournaments defined as programs between the students of Yorkville Christian School and other high schools in sanctioned division, region, state or national competitions
- Electronic scoreboard; permanent and temporary sponsor signage; athletic field lighting; outdoor public address system
- Outdoor parking and storage of farming machinery; grain bins; greenhouses
- Concession/restroom buildings serving outdoor athletic venues
- Perpendicular street parking along Mustang Way serving the athletic fields
- School bus parking and garage

All such ancillary and accessory uses are limited to those stated above and are subject to the United City of Yorkville zoning regulations.

10. Add an additional paragraph 25. PARKING FOR HIGH SCHOOL.

CITY recognizes that the enrollment of the high school student population will increase slowly over time, therefore CITY agrees to allow the school to open with forty percent (40%) of the required parking in place and the remaining sixty percent (60%) to be land banked and installed as determined by the CITY.

11. Add an additional paragraph 26. DEVELOPMENT NAME CHANGE.

CITY agrees to allow OWNER/DEVELOPER to change the name of the development to Ashley Pointe.

12. Add an additional paragraph 27. SITE DEVELOPMENT.

CITY agrees to issue a site development permit to the DEVELOPER prior to final engineering approval, for mass grading work on the PROPERTY.

CITY further agrees to issue, upon submittal and approval of the proper plans, a building foundation only permit on the proposed School Property.

13. Add an additional paragraph 28. PARK SITE

DEVELOPER agrees to construct a paved area at a size, and in a location of the CITY'S choosing to accommodate vehicular parking on Lot 359, the future Park Site. DEVELOPER shall be given a credit against remaining park fees owed the CITY for the PROPERTY after the lot 359 Park Site dedication.

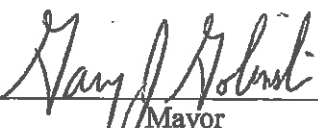
IN WITNESS WHEREOF, the parties have hereunto set their hands on this 10
day of OCTOBER, 2013.

CITY:

OWNER/DEVELOPER:

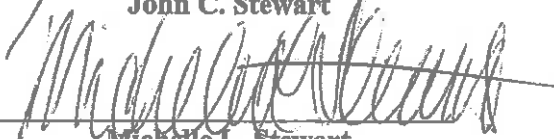
UNITED CITY OF YORKVILLE

JOHN C. STEWART AND
MICHELLE L. STEWART

By: 
Mayor


John C. Stewart

Attest: 
City Clerk


Michelle L. Stewart

Prepared By:
John F. Philipchuck
Dommermuth, Cobine, West, Gensler,
Philipchuck, Corrigan and Bernhard, Ltd.
111 E. Jefferson Ave., Suite 200
Naperville, IL 60540
630-355-5800

EXHIBIT INDEX TO THE AMENDMENT

EXHIBIT A	REVISED LEGAL DESCRIPTION
EXHIBIT B	FINAL PLAT
EXHIBIT C	FEES

EXHIBIT A

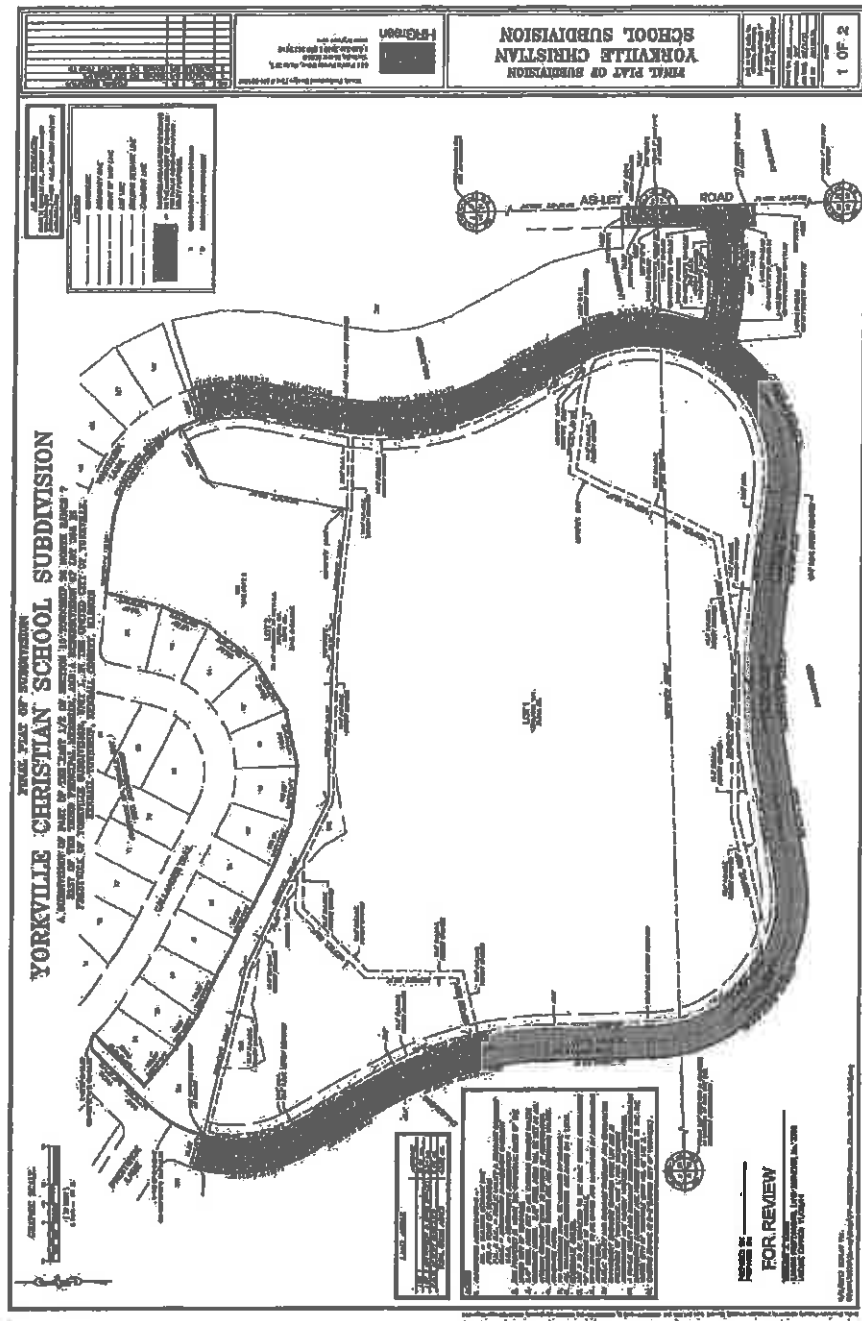
UNIT ONE:

LOTS 1 THROUGH 10, INCLUSIVE, LOTS 12 THROUGH 41, INCLUSIVE, LOTS 43 THROUGH 50, INCLUSIVE, LOTS 52 THROUGH 63, INCLUSIVE, LOT 65 THROUGH 108, INCLUSIVE, LOTS 357 THROUGH 363, INCLUSIVE, AND LOT 365 IN PRESTWICK OF YORKVILLE UNIT 1, BEING A SUBDIVISION OF PART OF SECTIONS 3 & 10, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 31, 2006, AS DOCUMENT NUMBER 200600035287, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

UNIT 2

THAT PART OF THE EAST HALF OF SECTION 10, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE SOUTH 01 DEGREES 32 MINUTES 35 SECONDS EAST ALONG THE WEST LINE OF THE EAST HALF OF SAID SECTION 10, 1776.14 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 54 DEGREES 40 MINUTES 34 SECONDS EAST, 258.23 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 283.00 FEET AND A CHORD BEARING OF NORTH 38 DEGREES 32 MINUTES 30 SECONDS EAST, AN ARC LENGTH OF 31.79 FEET; THENCE NORTH 41 DEGREES 45 MINUTES 34 SECONDS EAST, 269.09 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 283.00 FEET AND A CHORD BEARING OF NORTH 68 DEGREES 21 MINUTES 45 SECONDS EAST, AN ARC LENGTH OF 262.80 FEET; THENCE SOUTH 85 DEGREES 02 MINUTES 05 SECONDS EAST, 0.59 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT WITH A RADIUS OF 25.00 FEET AND A CHORD BEARING OF NORTH 54 DEGREES 36 MINUTES 04 SECONDS EAST, AN ARC LENGTH OF 35.22 FEET; THENCE SOUTH 75 DEGREES 45 MINUTES 48 SECONDS EAST, 70.00 FEET; THENCE SOUTHERLY ALONG A CURVE TO THE LEFT WITH A RADIUS OF 265.00 FEET AND A CHORD BEARING OF SOUTH 14 DEGREES 09 MINUTES 29 SECONDS WEST, AN ARC LENGTH OF 0.73 FEET; THENCE SOUTH 75 DEGREES 55 MINUTES 15 SECONDS EAST, 145.79 FEET; THENCE SOUTH 00 DEGREES 43 MINUTES 57 SECONDS WEST, 61.16 FEET; THENCE SOUTH 29 DEGREES 47 MINUTES 52 SECONDS EAST, 37.26 FEET; THENCE NORTH 76 DEGREES 49 MINUTES 03 SECONDS EAST, 116.69 FEET; THENCE SOUTH 81 DEGREES 47 MINUTES 13 SECONDS EAST, 153.95 FEET; THENCE SOUTH 63 DEGREES 29 MINUTES 31 SECONDS EAST, 112.02 FEET; THENCE SOUTH 45 DEGREES 59 MINUTES 45 SECONDS EAST, 111.92 FEET; THENCE SOUTH 29 DEGREES 23 MINUTES 15 SECONDS EAST, 55.65 FEET; THENCE NORTH 78 DEGREES 20 MINUTES 45 SECONDS EAST, 90.04 FEET; THENCE NORTH 82 DEGREES 41 MINUTES 33 SECONDS EAST, 88.65 FEET; THENCE NORTH 87 DEGREES 00 MINUTES 20 SECONDS EAST, 88.65 FEET; THENCE SOUTH 88 DEGREES 40 MINUTES 53 SECONDS EAST, 88.65 FEET; THENCE SOUTH 88 DEGREES 00 MINUTES 08 SECONDS EAST, 85.86 FEET; THENCE SOUTH 83 DEGREES 43 MINUTES 10 SECONDS EAST, 238.13 FEET; THENCE NORTH 04 DEGREES 45 MINUTES 16 SECONDS EAST, 13.20 FEET; THENCE NORTH 11 DEGREES 14 MINUTES 44 SECONDS EAST, 288.09 FEET; THENCE NORTH 62 DEGREES 41 MINUTES 24 SECONDS EAST, 127.61 FEET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 267.00 FEET AND A CHORD BEARING OF SOUTH 22 DEGREES 18 MINUTES 37 SECONDS EAST, AN ARC LENGTH OF 46.60 FEET; THENCE NORTH 72 DEGREES 41 MINUTES 23 SECONDS EAST, 216.00 FEET; THENCE SOUTH 10 DEGREES 59 MINUTES 02 SECONDS EAST, 106.45 FEET;

THENCE SOUTH 01 DEGREES 40 MINUTES 08 SECONDS WEST, 106.45 FEET; THENCE SOUTH 10 DEGREES 43 MINUTES 58 SECONDS WEST, 86.80 FEET; THENCE SOUTH 11 DEGREES 14 MINUTES 44 SECONDS WEST, 80.00 FEET; THENCE SOUTH 07 DEGREES 24 MINUTES 58 SECONDS WEST, 72.99 FEET; THENCE SOUTH 05 DEGREES 14 MINUTES 55 SECONDS EAST, 71.04 FEET; THENCE SOUTH 18 DEGREES 06 MINUTES 54 SECONDS EAST, 71.04 FEET; THENCE SOUTH 27 DEGREES 45 MINUTES 40 SECONDS EAST, 77.42 FEET; THENCE SOUTH 28 DEGREES 15 MINUTES 03 SECONDS EAST, 80.00 FEET; THENCE SOUTH 27 DEGREES 34 MINUTES 17 SECONDS EAST, 87.88 FEET; THENCE SOUTH 15 DEGREES 28 MINUTES 24 SECONDS EAST, 106.01 FEET; THENCE SOUTH 01 DEGREES 42 MINUTES 03 SECONDS EAST, 52.39 FEET; THENCE NORTH 88 DEGREES 28 MINUTES 09 SECONDS EAST, 84.51 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE SOUTH 01 DEGREES 32 MINUTES 43 SECONDS EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 74.63 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREES 27 MINUTES 24 SECONDS EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10, 1006.36 FEET TO THE SOUTHEAST CORNER OF LANDS CONVEYED TO ROBERT M. AND ELAINE E. STEWART BY DOCUMENT NO. 72-5656; THENCE SOUTH 88 DEGREES 04 MINUTES 01 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LANDS PER DOCUMENT NO. 72-5656, 2655.55 FEET TO THE SOUTHWEST CORNER OF SAID LANDS PER DOCUMENT NO. 72-5656, SAID POINT BEING ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10, AND 1876.91 FEET SOUTHERLY OF (AS MEASURED ALONG SAID WEST LINE) THE POINT OF BEGINNING; THENCE NORTH 01 DEGREES 32 MINUTES 35 SECONDS WEST, ALONG THE WEST LINE OF THE EAST HALF OF SAID SECTION 10, 1876.91 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ~~ILLINOIS AND~~
~~CONTAINING 10.29 ACRES OF LAND MORE OR LESS.~~



YORKVILLE CHRISTIAN SCHOOL SUBDIVISION

PLAT 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

FOR REVIEW

YORKVILLE CHRISTIAN SCHOOL SUBDIVISION

PLAT 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

2 OF 2

EXHIBIT C

ASHLEY POINTE

FEES PER UNIT

A paid receipt from the School District Office, 602-A Center Parkway, Yorkville, Illinois, must be presented to the City prior to issuance of permit

\$3,000.00

Separate Yorkville-Bristol Sanitary District fee – made payable to Y.B.S.D. \$1,400.00

United City of Yorkville Fees

1. Building Permit
Cost \$650.00 plus \$0.20 per square foot \$650+\$0.20(SF)
2. Water Connection Fees
SF and DU \$3,700
2+ Bed Att N/A
3. Water Meter Cost
Detached Units \$ 475
Attached Unit N/A
4. City Sewer Connection Fees \$2,000
5. Water and Sewer Inspection Fee \$ 25
6. Public Walks/Driveway Inspection Fee \$ 35
7. Development Fees

Public Works	\$ 700
Police	\$ 300
Building	\$ 150
Library (see note "d" below)	\$500 * \$250
Parks & Recreation	\$50
Engineering	\$100
Bristol-Kendall Fire (see note "c" below)	\$1000 * \$500
8. School Fees (see note "a" below)
 - a. School Fee payments are estimates based upon projected residential lot numbers and shall be recalculated based upon the total number of residential lots that are final platted.

9. All Road Contributions N/A; to be satisfied by improvements to Penman/Rt. 126; Ashley Road/Rt. 126; and Ashley Road Improvements

10. Weather Warning Siren Fee (*see note "b" below*) \$ 75/acre

11. Park Fees.

a. Value per acre – \$30,000

b. Acres required:

10.05 total acres

6.67 acres dedicated

3.38 acres unsatisfied

This acreage is based upon current projected residential lot numbers and shall be recalculated based upon the total number of residential lots that are final platted.

c. Actual cost of paving parking lot as evidenced by paid invoices shall be deducted from total amount due.

d. (i) Payment of one-third (1/3) of the amount due after credit for parking lot paving shall be due within thirty (30) days of receipt of an invoice from the City;

(ii) Payment of one-third (1/3) shall be due on the one year anniversary of the date of approval of this First Amendment by the City Council; and,

(iii) Final one-third (1/3) payment shall be due on the second year anniversary of the date of approval of this First Amendment by the City Council.

Notes:

a. School fees are \$1,792.68 per lot, payable at building permit.

b. \$75/acre x 193.81 = \$14,535. \$54.25/lot payable at building permit.

c. 50% of BKFD fee for Unit 1 paid (\$52,000). Remaining lots in Unit 1, (104) pay \$500/lot at building permit. All remaining lots in future units pay \$1,000/lot at building permit.

d. 50% of library fee for Unit 1 paid (\$26,000). Remaining lots in Unit 1 (104) pay \$250.00/lot at building permit. All remaining lots in future units pay \$500/lot at building permit.

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YORKVILLE LAND/CASH CALCULATION SHEET									
CLIENT / PROJECT:		STEWART/ASHLEY POINTE							
TABLE OF ESTIMATED URBANITE POPULATION PER DWELLING UNIT									
		Pre-School 0-4 Years	Elementary Grades K-5 5-12 Years	Junior High Grades 6-8 11-13 Years	High School Grades 9-12 14-17 Years	Adults 18 years +	Total Per Dwelling Unit		
Detached Single Family									
2 Bedroom:		x0.102 =	0.000	x0.181 =	0.000	x0.054 =	0.000		
0/3 Bedroom		x0.254 =	0.000	x0.440 =	0.000	x0.158 =	0.000		
288/4 Bedroom		x0.413 =	110.684	x0.685 =	178.220	x0.180 =	58.671		
5 Bedroom		x0.236 =	0.000	x0.488 =	0.000	x0.158 =	0.000		
288/ Total Units									
Attached Single Family									
1 Bedroom		0	0.000	x0.064 =	0.000	x0.018 =	0.000		
6/2 Bedroom		x0.082 =	0.000	x0.186 =	0.000	x0.058 =	0.000		
3/3 Bedroom:		x0.231 =	0.000	x0.238 =	0.000	x0.085 =	0.000		
4 Bedroom:		x0.332 =	0.000	x0.492 =	0.000	x0.13 =	0.000		
0/ Total Units									
Apartments									
Efficiency		0	0.000	x0.064 =	0.000	x0.018 =	0.000		
1 Bedroom		0	0.000	x0.490 =	0.000	x0.18 =	0.000		
0/2 Bedroom		x0.042 =	0.000	x0.18 =	0.000	x0.046 =	0.000		
3/3 Bedroom		x0.080 =	0.000	x0.338 =	0.000	x0.088 =	0.000		
0/ Total Units									
People Produced	Total =	110.684	Total =	178.220	Total =	50.920			
Land Value Assumptions									
Total Land Donations for School:		16.014617							
Total Land Donations for Park:		10.050000							
Total Land Only Donation Required		26.064617							
Total Cash Only Donation Required		26.064617							
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Page 3

Prepared
04/17/2013

**Dominemuth Cobine-West
Genster Philippchuck
Corrigan and Bernhard, Ltd.**

[illegible]



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DEBBIE
GILLETTE
KENDALL COUNTY, IL

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ORDI: 53.00 RHSPS FEE: 18.00
PAGES: 8

**UNITED CITY OF YORKVILLE
KENDALL COUNTY, ILLINOIS**

ORDINANCE NO. 2014-26

**AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS,
APPROVING THE SECOND AMENDMENT TO THE ANNEXATION AGREEMENT
FOR THE YORKVILLE FARMS DEVELOPMENT
(ASHLEY POINTE SUBDIVISION *fka* PRESTWICK OF YORKVILLE)**

The Prestwick of Yorkville Subdivision Annexation Agreement was recorded on December 19, 2005 as Document #200500039118 and the First Amendment to the Annexation Agreement of Yorkville Farms Development – Prestwick of Yorkville Subdivision was recorded on October 30, 2013 as Document #201300022150.

Passed by the City Council of the
United City of Yorkville, Kendall County, Illinois
This 27th day of May, 2014

Prepared by and Return to:
United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560

Published in pamphlet form by the
authority of the Mayor and City Council
of the United City of Yorkville, Kendall
County, Illinois on December 3, 2014.

**AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS,
APPROVING THE SECOND AMENDMENT TO THE ANNEXATION AGREEMENT
FOR THE YORKVILLE FARMS DEVELOPMENT
(ASHLEY POINTE SUBDIVISION ~~aka~~ PRESTWICK OF YORKVILLE)**

WHEREAS, the United City of Yorkville (the "City") is a duly organized and validly existing non home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, the City and John and Michelle Stewart (the "Owners"), as successors to the original owners, entered into a *First Amendment to the Annexation Agreement of Yorkville Farms Development* pursuant to Ordinance 2013-56, adopted October 8, 2013; and,

WHEREAS, the Owners, have requested to further amend the Annexation Agreement, to reduce the security requirements for school improvements and roadways; and,

WHEREAS, the City and Owners desire to proceed as requested in accordance with the terms and conditions as set forth in the Second Amendment to the Annexation Agreement.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, as follows:

Section 1: The above recitals are incorporated and made a part of this Ordinance.

Section 2: That the *Second Amendment to the Annexation Agreement of Yorkville Farms Development and The City of Yorkville (Prestwick of Yorkville Subdivision)* attached hereto and made a part hereof by reference is hereby approved, and, the Mayor and City Clerk are hereby authorized and directed to execute and deliver same.

Section 3: This Ordinance shall be in full force and effect upon its passage, approval, and publication as provided by law.

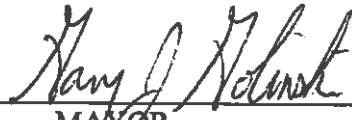
Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this 27 day of May, 2014.

Beth Warren
CITY CLERK

CARLO COLOSIMO Y
JACKIE MILSCHEWSKI —
CHRIS FUNKHOUSER Y
ROSE ANN SPEARS Y

KEN KOCH Y
LARRY KOT —
JOEL FRIEDERS Y
DIANE TEELING Y

Approved by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this 1 day of
DECEMBER 2014.


MAYOR

**SECOND AMENDMENT TO THE ANNEXATION AGREEMENT OF
YORKVILLE FARMS DEVELOPMENT AND THE UNITED CITY OF YORKVILLE**
(Prestwick of Yorkville Subdivision)

This Second Amendment to the Annexation Agreement of Yorkville Farm Development (Prestwick of Yorkville Subdivision) (the "*Amendment*"), is made and entered into this 27, day of MAY, 2014, by and between the United City of Yorkville, a Kendall County, Illinois, a municipal corporation (the "*City*"), and the owner of record John C. Stewart and Michelle L. Stewart ("*Owner*" or "*Developer*" or "*Owner/Developer*").

WITNESSETH

WHEREAS, Owner owns fee simple title to the real property which is legally described in Exhibit A attached hereto, consisting of approximately 190 acres, more or less (hereinafter "*Property*"); and,

WHEREAS, on April 26, 2005, the Mayor and City Council (the "*Corporate Authorities*") entered into An Annexation Agreement of Yorkville Farms Development (the "*Original Agreement*") which provided for the zoning of the Property as R-2 Single Family Resident District established the required infrastructure and public improvements deemed necessary to serve the Property when developed, and set forth the required donations, fees and security to guarantee the completion and maintenance of the public improvements; and,

WHEREAS, on October 8, 2014, the Corporate Authorities approved the First Amendment to the Annexation Agreement of Yorkville Farms Development and the United City of Yorkville (Prestwick of Yorkville Subdivision) (the "*First Amendment*") which among other things, approved a revised plat of subdivision; established permitted uses for a portion of the Property to be developed as a school, changed the name of the Subdivision to Ashley Pointe; and

revised the security requirements of the Owner/Developer to include security for the school improvements including roadways; and,

WHEREAS, the Owner/Developer has now requested a reduction of the security requirements of the Owner/Developer to include security for the school improvements including roadways; and,

WHEREAS, the Owner/Developer has now requested a reduction of the security requirement for the roadways which the Corporate Authorities are willing to grant subject to the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the mutual covenants, agreements and conditions herein contained, and by authority of and in accordance with the aforesaid statutes of the State of Illinois, the parties agree as follows:

Section 1. The foregoing Preambles are hereby adopted as if fully restated herein.

Section 2. Paragraph 4 of the First Amendment amending Paragraph 6 of the Original Agreement stating that “the Developer will provide any required security for the high school improvements, including roadways” is further amended by adding the following additional paragraph:

“The Developer acknowledges its responsibility for all required security for the high school improvements, including roadways; provided, however, the City agrees to release to the Developer/Owner any security for the roadway improvements related to the Route 126 intersection held by the City upon written acknowledgement by the Owner/Developer that it understands and agrees that no certificate of occupancy for the school or any other structure constructed on the Property shall be issued by the City until such time as the Owner/Developer has deposited sufficient security for the roadway improvements related to the Route 126 intersection with the Illinois Department of Transportation (“IDOT”) and the City has received confirmation from IDOT of the receipt of such security.”

Section 3. All other terms and conditions of the Original Agreement as amended by the First Amendment remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hands on this 1 days of DECEMBER, 2014.

United City of Yorkville, an Illinois municipal Corporation

By: Gary J. Holm
Mayor

Attest:

Beth Wanen
City Clerk

John C. Stewart

By: John C. Stewart

Michelle L. Stewart

By: Michelle L. Stewart

EXHIBIT A

UNIT ONE:

LOTS 1 THROUGH 10, INCLUSIVE, LOTS 12 THROUGH 41, INCLUSIVE, LOTS 43 THROUGH 50, INCLUSIVE, LOTS 52 THROUGH 63, INCLUSIVE, LOT 65 THROUGH 108, INCLUSIVE, LOTS 357 THROUGH 363, INCLUSIVE, AND LOT 365 IN PRESTWICK OF YORKVILLE UNIT 1, BEING A SUBDIVISION OF PART OF SECTIONS 3 & 10, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 31, 2006, AS DOCUMENT NUMBER 200600035287, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

UNIT 2

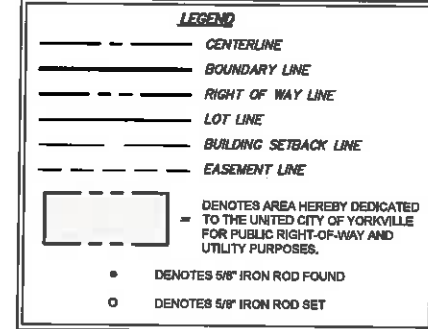
THAT PART OF THE EAST HALF OF SECTION 10, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE SOUTH 01 DEGREES 32 MINUTES 35 SECONDS EAST ALONG THE WEST LINE OF THE EAST HALF OF SAID SECTION 10, 1776.14 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 54 DEGREES 40 MINUTES 34 SECONDS EAST, 258.23 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 283.00 FEET AND A CHORD BEARING OF NORTH 38 DEGREES 32 MINUTES 30 SECONDS EAST, AN ARC LENGTH OF 31.79 FEET; THENCE NORTH 41 DEGREES 45 MINUTES 34 SECONDS EAST, 269.09 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 283.00 FEET AND A CHORD BEARING OF NORTH 68 DEGREES 21 MINUTES 45 SECONDS EAST, AN ARC LENGTH OF 262.80 FEET; THENCE SOUTH 85 DEGREES 02 MINUTES 05 SECONDS EAST, 0.59 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT WITH A RADIUS OF 25.00 FEET AND A CHORD BEARING OF NORTH 54 DEGREES 36 MINUTES 04 SECONDS EAST, AN ARC LENGTH OF 35.22 FEET; THENCE SOUTH 75 DEGREES 45 MINUTES 48 SECONDS EAST, 70.00 FEET; THENCE SOUTHERLY ALONG A CURVE TO THE LEFT WITH A RADIUS OF 265.00 FEET AND A CHORD BEARING OF SOUTH 14 DEGREES 09 MINUTES 29 SECONDS WEST, AN ARC LENGTH OF 0.73 FEET; THENCE SOUTH 75 DEGREES 55 MINUTES 15 SECONDS EAST, 145.79 FEET; THENCE SOUTH 00 DEGREES 43 MINUTES 57 SECONDS WEST, 61.16 FEET; THENCE SOUTH 29 DEGREES 47 MINUTES 52 SECONDS EAST, 37.26 FEET; THENCE NORTH 76 DEGREES 49 MINUTES 03 SECONDS EAST, 116.69 FEET; THENCE SOUTH 81 DEGREES 47 MINUTES 13 SECONDS EAST, 153.95 FEET; THENCE SOUTH 63 DEGREES 29 MINUTES 31 SECONDS EAST, 112.02 FEET; THENCE SOUTH 45 DEGREES 59 MINUTES 45 SECONDS EAST, 111.92 FEET; THENCE SOUTH 29 DEGREES 23 MINUTES 15 SECONDS EAST, 55.65 FEET; THENCE NORTH 78 DEGREES 20 MINUTES 45 SECONDS EAST, 90.04 FEET; THENCE NORTH 82 DEGREES 41 MINUTES 33 SECONDS EAST, 88.65 FEET; THENCE NORTH 87 DEGREES 00 MINUTES 20 SECONDS EAST, 88.65 FEET; THENCE SOUTH 88 DEGREES 40 MINUTES 53 SECONDS EAST, 88.65 FEET; THENCE SOUTH 88 DEGREES 00 MINUTES 08 SECONDS EAST, 85.86 FEET; THENCE SOUTH 83 DEGREES 43 MINUTES 10 SECONDS EAST, 238.13 FEET; THENCE NORTH 04 DEGREES 45 MINUTES 16 SECONDS EAST, 13.20 FEET; THENCE NORTH 11 DEGREES 14 MINUTES 44 SECONDS EAST, 288.09 FEET; THENCE NORTH 62 DEGREES 41 MINUTES 24 SECONDS EAST, 127.61 FEET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 267.00 FEET AND A CHORD BEARING OF SOUTH 22 DEGREES 18 MINUTES 37 SECONDS EAST, AN ARC LENGTH OF 46.60 FEET; THENCE NORTH 72 DEGREES 41 MINUTES 23 SECONDS EAST, 216.00 FEET; THENCE SOUTH 10 DEGREES 59 MINUTES 02 SECONDS EAST, 106.45 FEET;

THENCE SOUTH 01 DEGREES 40 MINUTES 08 SECONDS WEST, 106.45 FEET; THENCE SOUTH 10 DEGREES 43 MINUTES 58 SECONDS WEST, 86.80 FEET; THENCE SOUTH 11 DEGREES 14 MINUTES 44 SECONDS WEST, 80.00 FEET; THENCE SOUTH 07 DEGREES 24 MINUTES 58 SECONDS WEST, 72.99 FEET; THENCE SOUTH 05 DEGREES 14 MINUTES 55 SECONDS EAST, 71.04 FEET; THENCE SOUTH 18 DEGREES 06 MINUTES 54 SECONDS EAST, 71.04 FEET; THENCE SOUTH 27 DEGREES 45 MINUTES 40 SECONDS EAST, 77.42 FEET; THENCE SOUTH 28 DEGREES 15 MINUTES 03 SECONDS EAST, 80.00 FEET; THENCE SOUTH 27 DEGREES 34 MINUTES 17 SECONDS EAST, 87.88 FEET; THENCE SOUTH 15 DEGREES 28 MINUTES 24 SECONDS EAST, 106.01 FEET; THENCE SOUTH 01 DEGREES 42 MINUTES 03 SECONDS EAST, 52.39 FEET; THENCE NORTH 88 DEGREES 28 MINUTES 09 SECONDS EAST, 84.51 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE SOUTH 01 DEGREES 32 MINUTES 43 SECONDS EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 74.63 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREES 27 MINUTES 24 SECONDS EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10, 1006.36 FEET TO THE SOUTHEAST CORNER OF LANDS CONVEYED TO ROBERT M. AND ELAINE E. STEWART BY DOCUMENT NO. 72-5656; THENCE SOUTH 88 DEGREES 04 MINUTES 01 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LANDS PER DOCUMENT NO. 72-5656, 2655.55 FEET TO THE SOUTHWEST CORNER OF SAID LANDS PER DOCUMENT NO. 72-5656, SAID POINT BEING ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10, AND 1876.91 FEET SOUTHERLY OF (AS MEASURED ALONG SAID WEST LINE) THE POINT OF BEGINNING; THENCE NORTH 01 DEGREES 32 MINUTES 35 SECONDS WEST, ALONG THE WEST LINE OF THE EAST HALF OF SAID SECTION 10, 1876.91 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ~~ILLINOIS AND CONTAINING 29 ACRES OF LAND MORE OR LESS.~~

FINAL PLAT OF SUBDIVISION YORKVILLE CHRISTIAN SCHOOL SUBDIVISION

A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 10 TOWNSHIP 36 NORTH RANGE 7
EAST OF THE THIRD PRINCIPAL MERIDIAN, AND A RESUBDIVISION OF LOT 358 IN
PRESTWICK OF YORKVILLE SUBDIVISION, UNIT 1, IN THE UNITED CITY OF YORKVILLE,
KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS

HR GREEN CONTACTS:
DAVID M. SCHULTZ P.E., PROJECT MANAGER
830-733-7550
BERNARD J. BAUER P.L.S., PROJECT SURVEYOR
830-733-7550



NO.	DATE	BY	REVISION DESCRIPTION
1	06/06/13	BAB	REVISED PER CITY COMMENTS
2	06/09/13	BAB	REVISED PER COMMENTS FROM ECI
3	03/14/14	BAB	REVISED EASEMENT LOCATIONS
4	04/21/14	BAB	REVISED NOTE 7 PER ATTORNEY
5	05/02/14	BAB	REVISED P.L.A.D.E. PER DESIGN CHANGE
6	02/21/18	BAB	REVISED SUBDIVISION BNDY LOTTING/LEGAL DESC.

Illinois Professional Design Firm # 184-001322
651 Prairie Pointe Drive, Suite 201,
Yorkville, Illinois 60550
1.830.555.7550 f. 830.555.7046
www.hrgreen.com

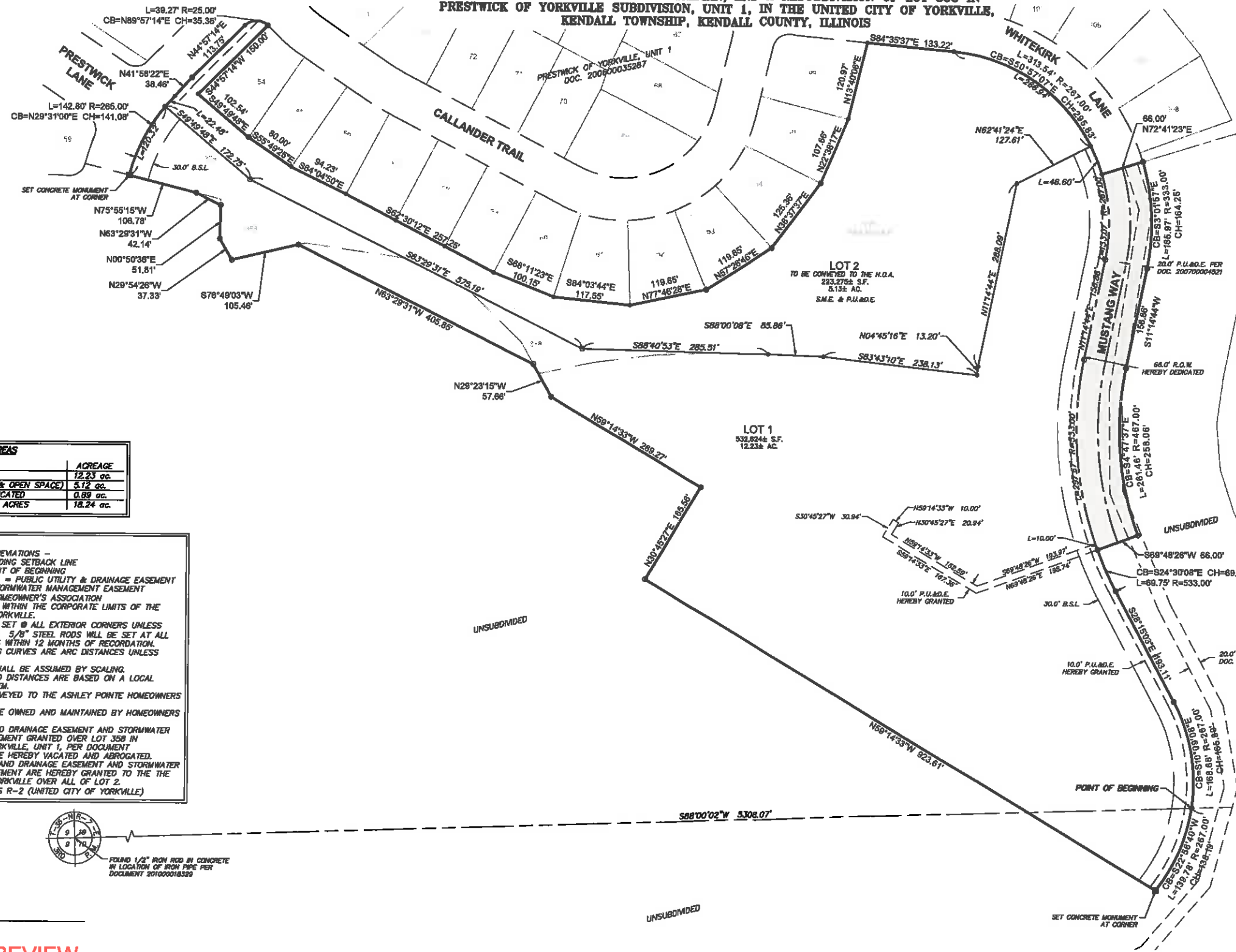
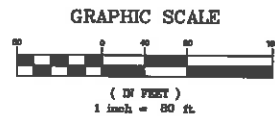


FINAL PLAT OF SUBDIVISION YORKVILLE CHRISTIAN SCHOOL SUBDIVISION

BAR IS ONE INCH ON
OFFICIAL DRAWINGS
IF NOT ONE INCH,
ADJUST SCALE ACCORDINGLY

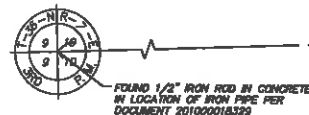
DRAWN BY: BAB
APPROVED: MRF
JOB DATE: 07/2/13
JOB NO: 88130135

SHEET
1 OF 2



LAND AREAS	ACREAGE
LOT 1	12.23 ac.
LOT 2 (RETENTION & OPEN SPACE)	5.12 ac.
R.O.W. HEREBY DEDICATED	0.89 ac.
TOTAL GROSS ACRES	18.24 ac.

- NOTES**
- ANNOTATION ABBREVIATIONS -
BSL = BUILDING SETBACK LINE
POB = POINT OF BEGINNING
P.U. & D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT
S.M.E. = STORMWATER MANAGEMENT EASEMENT
H.O.A. = HOMEOWNER'S ASSOCIATION
 - THIS PROPERTY IS WITHIN THE CORPORATE LIMITS OF THE UNITED CITY OF YORKVILLE.
 - 5/8" STEEL RODS SET @ ALL EXTERIOR CORNERS UNLESS OTHERWISE NOTED. 5/8" STEEL RODS WILL BE SET AT ALL INTERIOR CORNERS WITHIN 12 MONTHS OF RECORDATION.
 - DIMENSIONS ALONG CURVES ARE ARC DISTANCES UNLESS OTHERWISE NOTED.
 - NO DIMENSIONS SHALL BE ASSUMED BY SCALING.
 - ALL BEARINGS AND DISTANCES ARE BASED ON A LOCAL COORDINATE SYSTEM.
 - LOT 2 TO BE CONVEYED TO THE ASHLEY POINTE HOMEOWNERS ASSOCIATION.
 - OPEN SPACE TO BE OWNED AND MAINTAINED BY HOMEOWNERS ASSOCIATION.
 - PUBLIC UTILITY AND DRAINAGE EASEMENT AND STORMWATER MANAGEMENT EASEMENT GRANTED OVER LOT 358 IN PRESTWICK OF YORKVILLE, UNIT 1, PER DOCUMENT 200600035287 ARE HEREBY VACATED AND ABROGATED.
 - A PUBLIC UTILITY AND DRAINAGE EASEMENT AND STORMWATER MANAGEMENT EASEMENT ARE HEREBY GRANTED TO THE UNITED CITY OF YORKVILLE OVER ALL OF LOT 2.
 - EXISTING ZONING IS R-2 (UNITED CITY OF YORKVILLE).



PREPARED ON
PREPARED BY:

FOR REVIEW

BERNARD J. BAUER
ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3799
LICENSE EXPIRES: 11/30/14

FINAL PLAT OF SUBDIVISION YORKVILLE CHRISTIAN SCHOOL SUBDIVISION

A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 10 TOWNSHIP 36 NORTH RANGE 7
EAST OF THE THIRD PRINCIPAL MERIDIAN, AND A RESUBDIVISION OF LOT 358 IN
PRESTWICK OF YORKVILLE SUBDIVISION, UNIT 1, IN THE UNITED CITY OF YORKVILLE,
KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS

PIN: PT. 05-10-200-007
05-10-277-001

OWNERSHIP CERTIFICATE

STATE OF _____ } S.S.
COUNTY OF _____ }

THIS IS TO CERTIFY THAT

ARE THE OWNERS OF THE PROPERTY DESCRIBED IN THE FOREGOING SURVEYOR'S CERTIFICATE AND HAVE CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED, AND PLATTED AS SHOWN HEREON FOR THE USES AND PURPOSES HEREIN SET FORTH AS ALLOWED AND PROVIDED FOR BY STATUTE, AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREIN INDICATED.

THE UNDERSIGNED HEREBY DEDICATE FOR PUBLIC USE THE LANDS SHOWN ON THIS PLAT FOR THOROUGHFARES, STREETS, ALLEYS AND PUBLIC SERVICES, AND HEREBY ALSO RESERVES FOR ANY ELECTRIC, GAS, TELEPHONE, CABLE TV OR OTHER TELECOMMUNICATIONS COMPANY UNDER FRANCHISE AGREEMENT WITH THE UNITED CITY OF YORKVILLE, THEIR SUCCESSORS AND ASSIGNS, THE EASEMENT PROVISIONS WHICH ARE STATED HEREON.

THE UNDERSIGNED FURTHER CERTIFY THAT ALL OF THE LAND INCLUDED IN THIS PLAT LIES WITHIN THE BOUNDARIES OF YORKVILLE COMMUNITY UNIT SCHOOL DISTRICT 115.

DATED AT _____ THIS _____ DAY OF _____, 20____

BY: _____

BY: _____

NOTARY CERTIFICATE

STATE OF _____ } S.S.
COUNTY OF _____ }

I, _____, NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, HEREBY CERTIFY THAT _____ AND _____ PERSONALLY KNOW TO ME TO BE THE SAME PERSON(S) WHOSE NAME(S) IS(ARE) SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE ANNEXED PLAT AND ACCOMPANYING INSTRUMENTS FOR THE USES AND PURPOSES THEREIN SET FORTH AS HIS (THEIR) FREE AND VOLUNTARY ACT.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, 20____

NOTARY PUBLIC

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS } S.S.
COUNTY OF KENDALL }

I, _____, COUNTY CLERK OF KENDALL COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT TAXES, NO UNPAID FORECLOSED TAXES, AND NO REDEMPTIBLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE PLAT HEREIN DRAWN. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE PLAT HEREIN DRAWN.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK AT YORKVILLE,

ILLINOIS, THIS _____ DAY OF _____, 20____

COUNTY CLERK

KENDALL TOWNSHIP HIGHWAY COMMISSIONER

STATE OF ILLINOIS } S.S.
COUNTY OF KENDALL }

I, _____, DO HEREBY CERTIFY THAT ALL MATTERS PERTAINING TO THE HIGHWAY REQUIREMENTS AS DESCRIBED IN THE REGULATIONS GOVERNING PLATS ADOPTED BY THE COUNTY BOARD OF KENDALL COUNTY, IN SO FAR AS THEY PERTAIN TO THE ANNEXED PLAT, HAVE BEEN COMPLIED WITH, DATED THIS _____ DAY OF _____, 20____

TOWNSHIP HIGHWAY COMMISSIONER

DRAINAGE CERTIFICATE

STATE OF ILLINOIS } S.S.
COUNTY OF KENDALL }

WE, _____, REGISTERED PROFESSIONAL ENGINEER AND OWNER (OR HIS ATTORNEY) SUBMIT THE TOPOGRAPHICAL AND PROFILE STUDIES AND, TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF THIS SUBDIVISION OR ANY PART THEREOF, OR, THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISIONS HAVE BEEN MADE FOR THE COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS, OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THIS SUBDIVISION.

DATED THIS _____ DAY OF _____, 20____

OWNER (OR DULY AUTHORIZED ATTORNEY)

REGISTERED PROFESSIONAL ENGINEER

2/21/2018 4:28:30 PM

J:\2013\88130135\Survey\DWG\FP-88130135-Yorkville_Christian_School_REV6.dwg

CITY PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS } S.S.
COUNTY OF KENDALL }

APPROVED AND ACCEPTED BY THE PLAN COMMISSION OF THE UNITED CITY OF YORKVILLE, ILLINOIS, THIS _____ DAY OF _____, 20____

CHAIRMAN

CITY ADMINISTRATOR'S CERTIFICATE

STATE OF ILLINOIS } S.S.
COUNTY OF KENDALL }

APPROVED AND ACCEPTED BY THE CITY ADMINISTRATOR OF THE UNITED CITY OF YORKVILLE, ILLINOIS, THIS _____ DAY OF _____, 20____

CITY ADMINISTRATOR

CITY CLERK'S CERTIFICATE

STATE OF ILLINOIS } S.S.
COUNTY OF KENDALL }

APPROVED AND ACCEPTED BY THE MAYOR AND CITY COUNCIL OF THE UNITED CITY OF YORKVILLE, ILLINOIS, BY ORDINANCE No. _____ AT A MEETING HELD THIS _____ DAY OF _____, 20____

CITY CLERK

CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS } S.S.
COUNTY OF KENDALL }

APPROVED AND ACCEPTED BY THE MAYOR AND CITY COUNCIL OF THE UNITED CITY OF YORKVILLE, ILLINOIS, THIS _____ DAY OF _____, 20____

MAYOR

CITY ENGINEER'S CERTIFICATE

STATE OF ILLINOIS } S.S.
COUNTY OF KENDALL }

I, _____, CITY ENGINEER FOR THE UNITED CITY OF YORKVILLE, DO HEREBY CERTIFY THAT THE REQUIRED IMPROVEMENTS HAVE BEEN INSTALLED ON THE REQUIRED GUARANTEE COLLATERAL HAS BEEN POSTED FOR THE COMPLETION OF ALL REQUIRED IMPROVEMENTS.

DATED AT YORKVILLE, ILLINOIS THIS _____ DAY OF _____, 20____

CITY ENGINEER

ABROGATION NOTE:

THE APPROVING AUTHORITIES ON SIGNING THIS DOCUMENT HEREBY RELEASE AND CONSENT TO THE RELEASE, VACATION, AND ABROGATION OF THE EASEMENTS AS SHOWN HEREON.

ACCEPTED: _____ DATE: _____

AT&T

ACCEPTED: _____ DATE: _____

COMMONWEALTH EDISON

ACCEPTED: _____ DATE: _____

NICOR COMPANY

ACCEPTED: _____ DATE: _____

COMCAST

KENDALL COUNTY RIGHT TO FARM STATEMENT

NOTICE: KENDALL COUNTY HAS A LONG, RICH TRADITION IN AGRICULTURE AND RESPECTS THE ROLE THAT FARMING CONTINUES TO PLAY IN SHAPING THE ECONOMIC VIABILITY OF THE COUNTRY. PROPERTY THAT SUPPORTS THIS INDUSTRY IS INDICATED BY A ZONING INDICATOR - A-1 OR A0 SPECIAL USE. ANYONE CONSTRUCTING A RESIDENCE OR FACILITY NEAR THIS ZONING SHOULD BE AWARE THAT NORMAL AGRICULTURAL PRACTICES MAY RESULT IN OCCASIONAL SMELLS, DUST, SOUNDS, NOISE AND UNUSUAL HOURS OF OPERATIONS THAT ARE NOT TYPICAL IN OTHER ZONING AREAS.

EASEMENT PROVISIONS

A NON-EXCLUSIVE EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC AND COMMUNICATION SERVICE IS HEREBY RESERVED FOR AND GRANTED TO

COMMONWEALTH EDISON COMPANY, AMERITECH ILLINOIS s.k.a. ILLINOIS BELL TELEPHONE COMPANY, GRANTEE.

THEIR RESPECTIVE LICENSEES, SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY TO CONSTRUCT, OPERATE, REPAIR, MAINTAIN, MODIFY, RECONSTRUCT, REPLACE, SUPPLEMENT, RELOCATE AND REMOVE, FROM TIME TO TIME, POLES, GUYS, ANCHORS, WIRES, CABLES, CONDUITS, MANHOLES, TRANSFORMERS, PEDSTALS, EQUIPMENT CARRIERS OR OTHER FACILITIES USED IN CONNECTION WITH UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, COMMUNICATIONS SIGNALS AND SIGNALS IN, OVER, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN WITHIN THE DASHED OR DOTTED LINES (or similar designation) ON THE PLAT AND MARKED "EASEMENT", "UTILITY EASEMENT", "PUBLIC UTILITY EASEMENT", "P.U.E." (or similar designation), THE "RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS UNDER THE SURFACE OF THE PROPERTY DESIGNATED IN THE DECLARATION OF CONDOMINIUM AND/OR ON THIS PLAT AS "COMMON ELEMENTS" AND THE PROPERTY DESIGNATED ON THE PLAT AS "COMMON AREA OR AREAS", AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS UNDER THE SURFACE OF EACH LOT AND COMMON AREA OR AREAS TO SERVE IMPROVEMENTS THEREON, OR ON ADJACENT LOTS, AND COMMON AREA OR AREAS, THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHES, ROOTS, SAPLINGS AND TO CLEAR OBSTRUCTIONS FROM THE SURFACE AND SUBSURFACE AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. PRIVATE OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEES' FACILITIES ON, IN, UPON OR OVER THE PROPERTY WITHIN THE DASHED OR DOTTED LINES (or similar designation) ON THE PLAT AND MARKED "EASEMENT", "UTILITY EASEMENT", "PUBLIC UTILITY EASEMENT", "P.U.E." (or similar designation), WITHOUT THE PRIOR WRITTEN CONSENT OF THE GRANTEE. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

THE TERM "COMMON ELEMENTS" SHALL HAVE THE MEANING SET FORTH FOR SUCH TERM IN THE "CONDOMINIUM PROPERTY ACT", CHAPTER 765 ILCS 805/2, AS AMENDED FROM TIME TO TIME.

THE TERM "COMMON AREA OR AREAS" IS DEFINED AS A LOT, PARCEL OR AREA OF THE REAL PROPERTY, THE BENEFICIAL USE AND ENJOYMENT OF WHICH IS RESERVED IN WHOLE OR IN PART, IN APPURTENANCE TO THE SEPARATELY OWNED LOTS, PARCELS OR AREAS WITHIN THE PLANNED DEVELOPMENT, EVEN THOUGH SUCH MAY BE OTHERWISE DESIGNATED ON THE PLAT BY TERMS SUCH AS "OUTLOTS", "COMMON ELEMENTS", "OPEN SPACE", "OPEN AREAS", "COMMON ELEMENTS", "PARKING", AND "COMMON AREA". THE TERMS "COMMON AREA OR AREAS" AND "COMMON ELEMENTS" INCLUDE REAL PROPERTY SURFACED WITH INTERIOR DRIVEWAYS AND WALKWAYS, BUT EXCLUDES REAL PROPERTY PHYSICALLY OCCUPIED BY A BUILDING, SERVICE BUSINESS DISTRICT OR STRUCTURES SUCH AS A POOL, RETENTION POND OR MECHANICAL EQUIPMENT.

RELOCATION OF FACILITIES WILL BE DONE BY GRANTEE AT COST OF THE GRANTEE/LOT OWNER, UPON WRITTEN REQUEST.

EASEMENT FOR PUBLIC UTILITIES AND DRAINAGE PROVISIONS

A NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO SBC AMERITECH, NICOR, COM ED, COMCAST, OTHER PUBLIC UTILITIES AND HOLDERS OF EXISTING FRANCHISES GRANTED BY THE CITY OF YORKVILLE, ILLINOIS, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS WITHIN THE AREAS SHOWN ON THE PLAT AS "PUBLIC UTILITY & DRAINAGE EASEMENT" (abbreviated P.U. & D.E.) TO CONSTRUCT, INSTALL, REPAIR, REPLACE, INSPECT, MAINTAIN AND OPERATE UNDERGROUND TRANSMISSION AND DISTRIBUTION SYSTEMS AND LINES UNDER THE SURFACE OF THE "PUBLIC UTILITY & DRAINAGE EASEMENT", INCLUDING WITHOUT LIMITATION TO TELEPHONE CABLE, GAS, WATER, ELECTRIC LINES, CABLE TELEVISION LINES, AND ALL NECESSARY FACILITIES APPURTENANT THEREIN, TOGETHER WITH THE RIGHT OF ACCESS THEREIN TO THE CONSTRUCTION AND APPURTENANT NECESSARY AND REQUIRED FOR SUCH USES AND PURPOSES AND TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS UNDER THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS THEREON.

A NON-EXCLUSIVE EASEMENT IS ALSO HEREBY RESERVED FOR AND GRANTED TO THE UNITED CITY OF YORKVILLE, ILLINOIS TO CONSTRUCT, INSTALL, RECONSTRUCT, REPAIR, REPLACE AND INSPECT FACILITIES FOR THE TRANSMISSION AND DISTRIBUTION OF WATER, STORM SEWERS, SANITARY SEWERS AND ELECTRICITY, WITHIN THE AREAS SHOWN ON THE PLAT AS "PUBLIC UTILITY & DRAINAGE EASEMENT", TOGETHER WITH THE RIGHT OF ACCESS THEREIN TO THE PERSONNEL AND EQUIPMENT NECESSARY AND REQUIRED FOR SUCH USES AND PURPOSES.

THE ABOVE NAMED ENTITIES ARE HEREBY GRANTED THE RIGHT TO ENTER UPON EASEMENTS HEREIN DESCRIBED FOR THE USES HEREIN SET FORTH AND THE RIGHT TO CUT, TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS WITHIN THE AREAS DESIGNATED AS "PUBLIC UTILITY AND DRAINAGE EASEMENT" WHICH INTERFERE WITH THE CONSTRUCTION, INSTALLATION, RECONSTRUCTION, REPAIR, REPLACEMENT, MAINTENANCE AND OPERATION OF THEIR UNDERGROUND TRANSMISSION AND DISTRIBUTION SYSTEMS AND FACILITIES APPURTENANT THEREIN, NO PERMANENT BUILDINGS, STRUCTURES, OR OBSTRUCTIONS SHALL BE CONSTRUCTED IN, UPON, OR OVER ANY AREAS DESIGNATED AS "PUBLIC UTILITY & DRAINAGE EASEMENT", BUT SUCH AREAS MAY BE USED FOR GARDENS, SHRUBS, TREES, LANDSCAPING, DRIVEWAYS, AND OTHER RELATED PURPOSES THAT DO NOT UNREASONABLY INTERFERE WITH THE USES HEREIN DESCRIBED.

THE OCCUPATION AND USE OF THE NON-EXCLUSIVE EASEMENT HEREIN GRANTED AND RESERVED FOR THE ABOVE NAMED ENTITIES BY EACH OF SUCH ENTITIES SHALL BE DONE IN SUCH A MANNER SO AS NOT TO INTERFERE WITH OR PRECLUDE THE OCCUPATION AND USE THEREOF BY OTHER ENTITIES FOR WHICH SUCH EASEMENTS ARE GRANTED AND RESERVED. THE CROSSING AND CROSSING OF SAID EASEMENTS BY THE ABOVE NAMED ENTITIES SHALL BE DONE IN SUCH A MANNER SO AS NOT TO INTERFERE WITH, DAMAGE OR DISTURB ANY TRANSMISSION AND DISTRIBUTION SYSTEMS AND FACILITIES APPURTENANT EXISTING WITHIN THE EASEMENTS BEING CROSSED OR REDRESSED, NO USE OR OCCUPATION OF SAID EASEMENTS BY THE ABOVE NAMED ENTITIES SHALL CAUSE ANY CHANGE IN GRADE OR IMPAIR OR CHANGE THE SURFACE DRAINAGE PATTERNS.

FOLLOWING ANY WORK TO BE PERFORMED BY THE UNITED CITY OF YORKVILLE IN THE EXERCISE OF ITS EASEMENT GRANTED HEREIN, THE CITY SHALL HAVE NO OBLIGATION WITH RESPECT TO SURFACE RESTORATION, INCLUDING BUT NOT LIMITED TO, THE RESTORATION, REPAIR OR REPLACEMENT OF PAVEMENT, CURBS, GUTTERS, TREES, LAWN OR SHRUBBERY, PROVIDED, HOWEVER, THAT SAID CITY SHALL BE RESPONSIBLE FOR SUCH MAINTENANCE WORK, TO BACKFILL AND MOUND ALL TRENCH OPENED SO AS TO RETAIN SUITABLE DRAINAGE, TO COLD PATCH ANY ASPHALT OR CONCRETE SURFACE, TO REMOVE ALL EXCESS DEBRIS AND SPILL, AND TO LEAVE THE MAINTENANCE AREA IN A GENERALLY CLEAN AND WORKMANLIKE CONDITION.

STORMWATER MANAGEMENT EASEMENT PROVISIONS

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE UNITED CITY OF YORKVILLE AND TO ITS SUCCESSORS AND ASSIGNS, OVER ALL OF THE AREAS MARKED "STORMWATER MANAGEMENT EASEMENT" (abbreviated S.M.E.) ON THE PLAT FOR THE PERPETUAL RIGHT, PRIVILEGE, AND AUTHORITY TO SURVEY, CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN AND OPERATE STORM SEWERS AND THE STORMWATER MANAGEMENT AREAS, TOGETHER WITH ANY AND ALL NECESSARY MANHOLES, CATCH BASINS, SANITARY SEWERS, WATER MAINS, ELECTRIC AND COMMUNICATION CABLES, CONNECTIONS, DITCHES, SWALES, AND OTHER STRUCTURES AND APPURTENANCES AS MAY BE DEEMED NECESSARY BY SAID CITY, OVER, UNDER, ACROSS, ALONG AND THROUGH SAID INDICATED EASEMENT, TOGETHER WITH THE RIGHT OF ACCESS ACROSS THE PROPERTY FOR NECESSARY MEN AND EQUIPMENT TO DO ANY OF THE ABOVE WORK. THE RIGHT IS ALSO GRANTED TO CUT DOWN, TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS ON THE EASEMENT THAT INTERFERE WITH THE OPERATION OF SEWERS OR OTHER UTILITIES. NO PERMANENT BUILDINGS SHALL BE PLACED ON SAID EASEMENT. NO CHANGE TO THE TOPOGRAPHY OR STORMWATER MANAGEMENT STRUCTURES WITHIN THE EASEMENT AREA SHALL BE MADE WITHOUT EXPRESS WRITTEN CONSENT OF THE CITY ENGINEER, BUT SAME MAY BE USED FOR PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS.

THE OWNER OF THE PROPERTY SHALL REMAIN RESPONSIBLE FOR THE MAINTENANCE OF THE STORMWATER MANAGEMENT AREA AND APPURTENANCES. THE UNITED CITY OF YORKVILLE WILL PERFORM ONLY EMERGENCY PROCEDURES AS DEEMED NECESSARY BY THE CITY ENGINEER OF THE UNITED CITY OF YORKVILLE.

PEDESTRIAN AND BIKE TRAIL EASEMENT PROVISIONS

THE UNITED CITY OF YORKVILLE, ITS SUCCESSORS, LICENSEES AND ASSIGNS, ARE HEREBY GIVEN EASEMENT RIGHTS OVER ALL AREAS ON THE PLAT MARKED "PEDESTRIAN EASEMENT", "BIKE TRAIL EASEMENT", "PEDESTRIAN AND BIKE TRAIL EASEMENT" OR "STORMWATER MANAGEMENT EASEMENT" TO CONSTRUCT, INSTALL, RECONSTRUCT, REPAIR, REPLACE, INSPECT, MAINTAIN AND OPERATE PEDESTRIAN AND BICYCLE TRAILS, PAVED OR UNPAVED, FOR THE USE AND ENJOYMENT OF THE GENERAL PUBLIC. THE ABOVE NAMED ENTITIES ARE HEREBY GRANTED THE RIGHT TO CUT, TRIM, OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS WITHIN THE EASEMENT AREAS HEREIN GRANTED WHICH INTERFERE WITH THE CONSTRUCTION, INSTALLATION, RECONSTRUCTION, REPAIR, REPLACEMENT, MAINTENANCE AND OPERATION THEREOF. NO TEMPORARY OR PERMANENT BUILDINGS, STRUCTURES OR OBSTRUCTIONS SHALL BE PLACED ON OR OVER SAID EASEMENTS THAT INTERFERE WITH THE RIGHTS HEREIN GRANTED.

RECORDER'S CERTIFICATE

STATE OF ILLINOIS } S.S.
COUNTY OF KENDALL }

THIS INSTRUMENT NO. _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF KENDALL COUNTY, ILLINOIS.

THIS _____ DAY OF _____, 20____, AT _____ O'CLOCK _____ M.

KENDALL COUNTY RECORDER

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS } S.S.
COUNTY OF KENDALL }

THIS IS TO CERTIFY THAT I, BERNARD J. BAUER, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-3789, AT THE REQUEST OF THE OWNER(S) THEREOF, HAVE SURVEYED, SUBDIVIDED AND PLATTED THE FOLLOWING DESCRIBED PROPERTY:

PART OF EAST HALF OF SECTION 10, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALONG WITH LOT 358 IN PRESTWICK OF YORKVILLE, UNIT 1, ACCORDING TO THE PLAT THEREOF, RECORDED OCTOBER 31ST, 2008 AS DOCUMENT NUMBER 200800035827, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE SOUTH 88 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER, 201.00 FEET TO A POINT OF BEGINNING; THENCE SOUTHERLY 130.70 FEET, ALONG A NON-TANGENTIAL CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 287.00 FEET, A CHORD THAT BEARS SOUTH 22 DEGREES 59 MINUTES 40 SECONDS WEST, A CHORD OF 138.18 FEET; THENCE NORTH 89 DEGREES 14 MINUTES 33 SECONDS WEST, 223.01 FEET; THENCE NORTH 30 DEGREES 49 MINUTES 27 SECONDS EAST, PERPENDICULAR TO LAST DESCRIBED LINE, 163.36 FEET; THENCE NORTH 89 DEGREES 14 MINUTES 33 SECONDS WEST, PERPENDICULAR TO LAST DESCRIBED LINE, 308.97 FEET; THENCE NORTH 20 DEGREES 53 MINUTES 15 SECONDS WEST, ALONG THE SOUTHWESTERLY EXTENSION OF A SOUTHWESTERLY LINE OF SAID LOT 358 AND SAID SOUTHWESTERLY LINE, 57.69 FEET; THENCE NORTH 83 DEGREES 29 MINUTES 31 SECONDS WEST, 450.85 FEET TO A SOUTHEASTERLY LINE OF SAID LOT 358; THENCE SOUTH 70 DEGREES 48 MINUTES 03 SECONDS WEST, ALONG SAID SOUTHEASTERLY LINE, 103.46 FEET TO A CORNER OF SAID LOT 358; THENCE NORTH 29 DEGREES 54 MINUTES 34 SECONDS WEST, ALONG A SOUTHWESTERLY LINE OF SAID LOT 358, 37.33 FEET TO A CORNER OF SAID LOT 358; THENCE NORTH 00 DEGREES 50 MINUTES 30 SECONDS EAST, ALONG A WESTERLY LINE OF SAID LOT 358, 81.01 FEET; THENCE NORTH 83 DEGREES 29 MINUTES 31 SECONDS WEST, 42.14 FEET TO A SOUTHERLY LINE OF SAID LOT 358; THENCE NORTH 70 DEGREES 08 MINUTES 15 SECONDS WEST, ALONG SAID SOUTHERLY LINE, 100.70 FEET TO THE WESTERLY MOST SOUTHWEST CORNER OF SAID LOT 358; THENCE ALONG THE FOLLOWING 18 COURSES, ALONG THE WESTERLY AND NORTHERLY LINES OF SAID LOT 358: (1) NORTHERLY 142.00 FEET, ALONG A NON-TANGENTIAL CURVE TO THE RIGHT, SAID CURVE BEING THE WESTERLY MOST LINE OF SAID LOT 358 AND HAVING A RADIUS OF 280.00 FEET, A CHORD THAT BEARS NORTH 28 DEGREES 31 MINUTES 00 SECONDS EAST AND A CHORD OF 141.00 FEET; (2) NORTH 41 DEGREES 08 MINUTES 22 SECONDS EAST, 38.40 FEET; (3) NORTH 44 DEGREES 57 MINUTES 14 SECONDS EAST, 113.70 FEET TO A POINT OF CURVATURE; (4) EASTERLY 38.27 FEET, ALONG A TANGENTIAL CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 22.00 FEET, A CHORD THAT BEARS NORTH 69 DEGREES 57 MINUTES 14 SECONDS EAST AND A CHORD OF 23.36 FEET; (5) SOUTH 44 DEGREES 57 MINUTES 14 SECONDS WEST, 193.00 FEET; (6) SOUTH 48 DEGREES 49 MINUTES 40 SECONDS EAST, 102.54 FEET; (7) SOUTH 85 DEGREES 49 MINUTES 25 SECONDS EAST, 80.00 FEET; (8) SOUTH 84 DEGREES 04 MINUTES 50 SECONDS EAST, 94.21 FEET; (9) SOUTH 62 DEGREES 30 MINUTES 12 SECONDS EAST, 257.25 FEET; (10) SOUTH 68 DEGREES 11 MINUTES 23 SECONDS EAST, 100.15 FEET; (11) SOUTH 84 DEGREES 03 MINUTES 44 SECONDS EAST, 117.55 FEET; (12) NORTH 77 DEGREES 48 MINUTES 30 SECONDS EAST, 118.49 FEET; (13) NORTH 37 DEGREES 28 MINUTES 40 SECONDS EAST, 118.95 FEET; (14) NORTH 30 DEGREES 37 MINUTES 37 SECONDS EAST, 125.30 FEET; (15) NORTH 22 DEGREES 38 MINUTES 17 SECONDS EAST, 107.48 FEET; (16) NORTH 13 DEGREES 40 MINUTES 08 SECONDS EAST, 120.87 FEET TO THE NORTHERLY MOST LINE OF SAID LOT 358 AND SAID NORTHERLY LINE; THENCE SOUTHERLY 38.27 FEET, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 133.22 FEET TO A POINT OF TANGENCY; THENCE SOUTHWESTERLY 31.84 FEET, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, BEING A TANGENTIAL CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 257.00 FEET, A CHORD THAT BEARS SOUTH 30 DEGREES 57 MINUTES 07 SECONDS EAST AND A CHORD OF 290.83 FEET TO A SOUTHERLY CORNER OF SAID PRESTWICK OF YORKVILLE, UNIT 1; THENCE NORTH 72 DEGREES 41 MINUTES 23 SECONDS EAST, ALONG A SOUTHERLY LINE OF SAID PRESTWICK OF YORKVILLE, UNIT 1, AND RADIAL, TO LAST DESCRIBED CURVE, 68.00 FEET; THENCE SOUTHERLY 163.87 FEET, ALONG A NON-TANGENTIAL CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 323.00 FEET, A CHORD THAT BEARS SOUTH 03 DEGREES 01 MINUTES 57 SECONDS EAST, AND A CHORD OF 164.20 FEET TO A POINT OF TANGENCY; THENCE SOUTH 11 DEGREES 14 MINUTES 44 SECONDS WEST, TANGENT TO LAST DESCRIBED CURVE, 158.68 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY 281.48 FEET, ALONG A TANGENTIAL CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 407.00 FEET, A CHORD THAT BEARS SOUTH 04 DEGREES 47 MINUTES 37 SECONDS EAST AND A CHORD OF 258.08 FEET; THENCE SOUTH 60 DEGREES 48 MINUTES 28 SECONDS WEST, RADIAL, TO LAST DESCRIBED CURVE, 68.00 FEET; THENCE SOUTHEASTERLY 68.29 FEET, ALONG A NON-TANGENTIAL CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 533.00 FEET, A CHORD THAT BEARS SOUTH 24 DEGREES 30 MINUTES 00 SECONDS EAST AND A CHORD OF 60.70 FEET TO A POINT OF TANGENCY; THENCE SOUTH 28 DEGREES 15 MINUTES 03 SECONDS EAST, TANGENT TO LAST DESCRIBED CURVE, 183.11 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY 168.68 FEET, A LONG A TANGENTIAL CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 287.00 FEET, A CHORD THAT BEARS SOUTH 10 DEGREES 08 MINUTES 00 SECONDS EAST AND A CHORD OF 163.00 FEET, TO SAID POINT OF BEGINNING, ALL IN THE UNITED CITY OF YORKVILLE, KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 15.01 ACRES OF LAND MORE OR LESS.

I FURTHER CERTIFY THAT THE PLAT HEREIN DRAWN IS A CORRECT AND ACCURATE REPRESENTATION OF SAID SURVEY AND SUBDIVISION. ALL DISTANCES ARE SHOWN IN U.S. SURVEY FEET AND DECIMAL PARTS THEREOF.

I FURTHER CERTIFY THAT NO PART OF THE ABOVE DESCRIBED PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY BASED ON FIRM MAP NO. 17083001226, BEARING AN EFFECTIVE DATE OF FEBRUARY 4, 2008. ALL OF THE PROPERTY IS LOCATED IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN.

I FURTHER CERTIFY THAT I HAVE SET ALL EXTERIOR SUBDIVISION MONUMENTS AND DESCRIBED THEM ON THIS FINAL PLAT, AND THAT ALL INTERIOR MONUMENTS SHALL BE SET AS REQUIRED BY STATUTE (ILLINOIS REVISED STATUTES 1980, CHAPTER 108 SECTION 1).

I FURTHER CERTIFY THAT THE PROPERTY SHOWN ON THE PLAT HEREIN DRAWN IS SITUATED WITHIN THE CORPORATE LIMITS OF THE UNITED CITY OF YORKVILLE, ILLINOIS, WHICH IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE AS AMENDED.

GIVEN UNDER MY HAND AND SEAL AT YORKVILLE, ILLINOIS, THIS _____ DAY OF _____, 2013.

BERNARD J. BAUER

ILLINOIS PROFESSIONAL LAND SURVEYOR, NO. 035-3789

LICENSE EXPIRATION DATE: 11/30/14

FOR REVIEW

NO.	DATE	BY	REVISION DESCRIPTION
1	08/09/13	BAJ	REVISED PER CITY COMMENTS
2	09/09/13	BAJ	REVISED PER CITY COMMENTS
3	03/14/14	BAJ	REVISED EASEMENT LOCATIONS
4	04/21/14	BAJ	REVISED NOTE 7 PER ATTORNEY
5	05/02/14	BAJ	REVISED PLAT D.E. PER DESIGN CHANGE
6	02/16/16	BAJ	REVISED SUBDIVISION BNDY/LOT/LINE/LEGAL DESC.

NO.

DATE

BY

REVISION DESCRIPTION

NO.

DATE

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REVISION DESCRIPTION

NO.

DATE

BY



MEMORANDUM TO: Michelle Stewart
Yorkville Christian High School

FROM: William R. Woodward
Senior Consultant

Luay R. Aboona, PE
Principal

DATE: February 16, 2018

SUBJECT: Traffic Evaluation Addendum
Proposed Yorkville Christian High School
Yorkville, Illinois

This memorandum serves as an addendum to the traffic impact study conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) in August 2013 for the proposed Yorkville Christian High School to be located within the Prestwick residential subdivision, which occupies the southwest quadrant of the intersection of Schoolhouse Road (IL 126) and Ashley Road in Yorkville, Illinois.

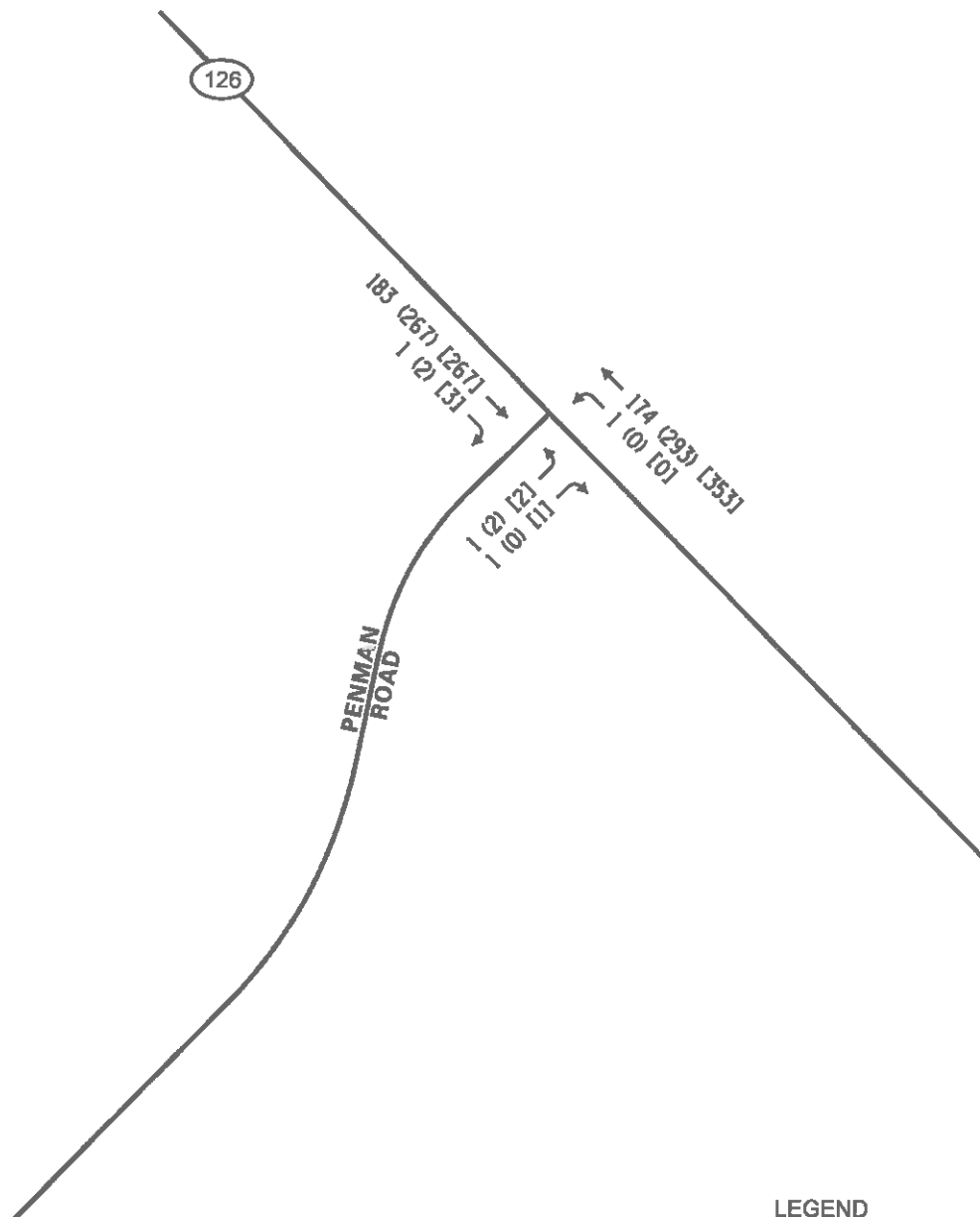
The traffic impact study analyzed the impacts of the proposed 850-student high school within a proposed 103-single-family home residential subdivision, Prestwick Subdivision. At that time, the conceptual plan included an access at the existing intersection of IL 126 and Penman Road, as well as a full access on Ashley Road, south of IL 126. The purpose of this memorandum is to revisit the previously prepared traffic study based on the recent revised site plan configurations and proposed traffic patterns, as well as determine whether the access off Ashley Road is needed to mitigate the traffic impact from the high school at full student capacity and the full buildout of the 103 single-family homes or rather if the intersection of IL 126 and Penman will continue to be adequate.

Existing Conditions

As noted, access to the Prestwick subdivision is currently from the existing intersection of IL 126 and Penman Road. Penman Road T-intersects IL 126 from the south, providing one lane inbound and one lane outbound under stop sign control. IL 126 provides one lane in each direction. No turning lanes (i.e. westbound left-turn lane or eastbound right-turn lane) are provided. There are approximately four single-family homes built and occupied within the subdivision. Figure 1 shows the existing weekday morning and weekday evening peak hour traffic volumes for the intersection of IL 126 and Penman Road. These volumes are from the Year 2013 traffic study report.



NOT TO SCALE



LEGEND

- 00 - AM PEAK HOUR (7:30-8:30 AM)
- (00) - PM SCHOOL PEAK HOUR (3:00-4:00 PM)
- [00] - PM PEAK HOUR (4:00-5:00 PM)

Yorkville Christian
High School
Yorkville, Illinois

Existing Traffic Volumes



Job No: 13-138

Figure: 1

Proposed Yorkville Christian High School

The high school will be located in the southeast quadrant of the subdivision and proposes vehicle access via an extension of Prestwick Lane. Prestwick Lane intersects Penman Road from the east.

At full occupancy, the high school will be able to accommodate 850 students. Based on information received from the school, there are approximately 45 students currently enrolled at the school, and it is estimated that an additional 20 to 30 students will be enrolled per year. As such, the high school is not expected to reach full occupancy for several years, but an 850-student enrollment was used to provide for a conservative analysis.

Proposed Prestwick Subdivision

The residential subdivision was originally planned in two phases, with Phase I including approximately 103 single-family homes. Phase II, the final phase, included an additional 164 single-family homes. However, for the purposes of this study, only Phase I of the development was included in the analyses.

Estimated Development-Generated Traffic Generation

The estimate of traffic to be generated by the proposed high school at full student occupancy, as well as Phase I of the single-family homes development was estimated using data published in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 9th Edition. Table 1 tabulates the total trips anticipated for the weekday morning, weekday early afternoon (school dismissal time), and weekday evening peak hours. The weekday evening peak hour traffic volumes for the single-family homes was used for the weekday early afternoon peak hour to provide for a conservative analysis.

Total Projected Traffic Volumes

Figure 2 shows the Year 2025 peak hour traffic volumes at the intersection of IL 126 and Penman Road, which includes the following.

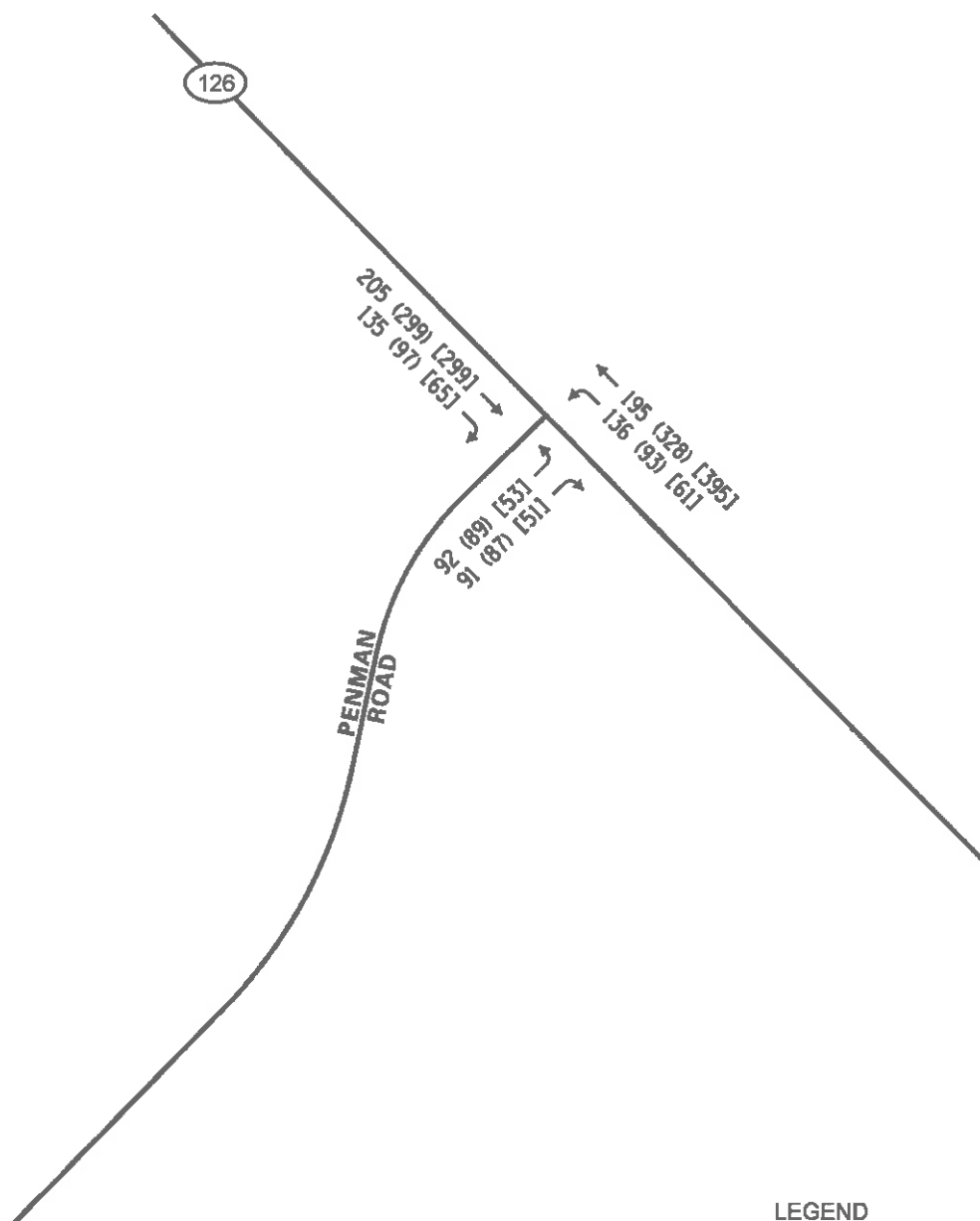
- The existing peak hour traffic volumes (Figure 1) were increased by a regional growth factor of 12 percent (one percent per year from 2013 to Year 2025). Regional growth accounts for growth in the area not attributable to any particular planned development.
- Traffic estimated to be generated by the high school and Phase I residential development (Table 1). Traffic was assigned to this intersection using the directional distribution established in the prior study. It is important to note that some of the traffic expected to be generated by the proposed high school may come from within the surrounding residential subdivision. However, all of the high school traffic was assigned to the intersection of IL 126 and Penman Road to provide for a conservative analysis.

Table 1
PROJECTED SITE-GENERATED TRAFFIC VOLUMES

ITE Land Use Code	Type/Size	Weekday Morning Peak Hour			Weekday Afternoon Peak Hour ¹ (School Dismissal)			Weekday Evening Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
530	High School – 850 Students	249	117	366	116	131	247	52	59	111
210	Phase I – (108 units)	<u>21</u>	<u>64</u>	<u>85</u>	<u>71</u>	<u>42</u>	<u>113</u>	<u>71</u>	<u>42</u>	<u>113</u>
Total:		270	181	451	187	173	360	123	101	224
¹ Evening peak hour traffic for single family homes was used to provide a conservative analysis.										



NOT TO SCALE



LEGEND

- 00 - AM PEAK HOUR (7:30-8:30 AM)
- (00) - PM SCHOOL PEAK HOUR (3:00-4:00 PM)
- [00] - PM PEAK HOUR (4:00-5:00 PM)

Yorkville Christian
High School
Yorkville, Illinois

Projected Traffic Volumes
(850 Students, 108 Homes)



Job No: 13-138

Figure: 2

Traffic Capacity Analysis

Capacity analyses were performed to determine the ability of the existing roadway system to accommodate existing and future traffic demands. Analyses were performed for the weekday morning, weekday early afternoon, and weekday evening peak hours for the existing (Year 2013) and projected (Year 2025) conditions.

The traffic analyses were performed using the methodologies outlined in the Transportation Research Board's *Highway Capacity Manual (HCM)*, 2010 and using Synchro/SimTraffic analysis software. The analyses for unsignalized intersections determine the average control delay to vehicles at an intersection. Control delay is the elapsed time from a vehicle joining the queue at a stop sign (includes the time required to decelerate to a stop) until its departure from the stop sign and resumption of free flow speed. The methodology analyzes each intersection approach controlled by a stop sign and considers traffic volumes on all approaches and lane characteristics. The ability of an intersection to accommodate traffic flow is expressed in terms of level of service, which is assigned a letter from A to F based on the average control delay experienced by vehicles passing through the intersection.

With respect to the capacity analyses, it is important to note the following.

- The prior traffic study recommended that the intersection of IL 126 and Penman Road be improved to include an eastbound right-turn lane and a westbound left-turn lane on IL 126, as well as provide a separate northbound left-turn lane and a northbound right-turn lane on Penman Road. The northbound approach of Penman Road will remain under stop sign control. The capacity analyses for projected conditions include these improvements.
- The capacity analyses were further calibrated to adjust for the surge of traffic during a 15- to 30-minute time period typically generated by a school during peak arrival and dismissal times.

A summary of the traffic analysis results showing the LOS and delay for both existing and future conditions are presented in Table 2. A summary of the queue analyses is shown in Table 3.

Table 2
CAPACITY ANALYSES RESULTS – IL 126 AND PENMAN ROAD

Intersection	Weekday Morning Peak Hour		Weekday Afternoon Peak Hour		Weekday Evening Peak Hour	
	LOS	Delay	LOS	Delay	LOS	Delay
Existing Conditions						
• Northbound Approach	B	10.4	B	13.9	B	12.7
Projected Conditions¹						
• Westbound Left Turn (IL 126)	A	8.6	A	8.8	A	8.4
• Northbound Approach (Penman)	C	17.0	C	23.5	C	16.3
LOS = Level of Service Delay is measured in seconds. ¹ Includes eastbound right-turn lane and westbound left-turn lane on IL 126; separate northbound left-turn lane and right-turn lane on Penman Road.						

Table 3
95TH PERCENTILE QUEUE ANALYSIS – IL 126 AND PENMAN ROAD

Intersection	Weekday Morning Peak Hour	Weekday Afternoon Peak Hour	Weekday Evening Peak Hour
	Queue (ft)	Queue (ft)	Queue (ft)
Existing Conditions			
• Northbound Approach	25	25	25
Projected Conditions¹			
• Westbound Left Turn (IL 126)	25	45	25
• Northbound Left Turn (Penman)	25	66	25
• Northbound Right Turn (Penman)	25	25	
LOS = Level of Service Delay is measured in seconds. ¹ Includes eastbound right-turn lane and westbound left-turn lane on IL 126; separate northbound left-turn lane and right-turn lane on Penman Road.			

Given the results of the capacity analyses shown in Table 2 and assuming the roadway improvements that include an eastbound right-turn lane and a westbound left-turn lane on IL 126, as well as provide a separate northbound left-turn lane and a northbound right-turn lane on Penman Road, the intersection of IL 126 and Penman Road will operate at acceptable levels of service under projected conditions. Further, the queue analysis shown in Table 3 shows that the outbound queue on Penman Road will be less than 75 feet (three cars) during the school peak dismissal time and one car or less during other peak hour periods.

Conclusion

An access connection to Ashley Road is not needed to accommodate the traffic estimated to be generated by the proposed high school at maximum student occupancy (850 students) in addition to the complete buildout of the 103 single-family homes based on the following.

- The intersection of IL 126 and Penman Road will accommodate the traffic from the proposed school and residential development as long as the recommended improvements of providing an eastbound right-turn lane and a westbound left-turn lane on IL 126, as well as providing a separate northbound left-turn lane and a northbound right-turn lane are provided on Penman Road.
- The capacity analyses show that the turning movements will operate at acceptable levels of service and delay for the weekday morning, weekday afternoon (which captures the school dismissal time), and the weekday evening peak hours.
- The capacity analyses were further adjusted to account for the surge of traffic during a 15- to 30-minute time period typically generated by a school during peak arrival and dismissal times. This surge adjustment was also applied to the evening peak hour analysis when the school is not typically generating traffic, thereby further providing a conservative analysis.
- The queue analyses show that the outbound queue on Penman Road will be less than 75 feet (three cars) during the school peak dismissal time and one car or less during other peak hour periods.
- Providing a westbound left-turn lane and an eastbound right-turn lane on IL 126 will effectively remove the traffic desiring to turn onto Penman Road without impeding the through traffic along IL 126.
- The projected traffic volumes include a regional growth factor of 12 percent, in addition to the traffic estimated to be generated by the proposed school and residential developments.
- The projected Year 2025 traffic volumes are conservative since they consider the school at maximum student occupancy (850 students) and the complete buildout of the 103 single-family homes. Based on information provided by the school, maximum occupancy is not planned for several years beyond Year 2025.

MEMORANDUM TO: Michelle Stewart
Yorkville Christian High School

FROM: Michael K. Scavo
Consultant

Luay R. Aboona, PE
Principal

DATE: August 21, 2013

SUBJECT: Traffic Impact Study
Proposed High School
Yorkville, Illinois

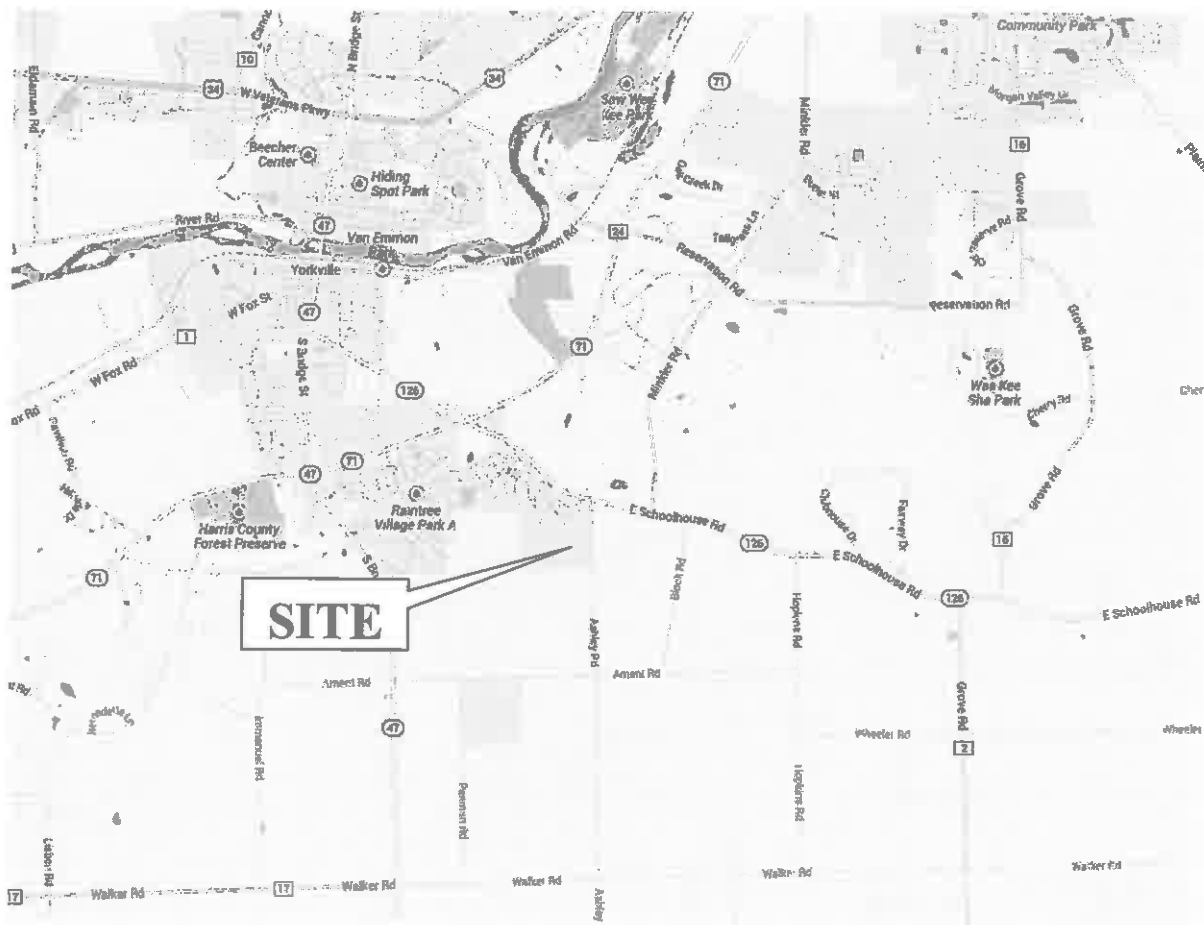
This memorandum summarizes the methodologies, results, and findings of a traffic impact study conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) for the proposed Yorkville Christian High School to be located in Yorkville, Illinois. The site is located within the Prestwick subdivision which occupies the southwest quadrant of the intersection of Schoolhouse Road (IL 126) and Ashley Road. The proposed school will have a maximum enrollment of 850 students and will utilize the two access roads that will serve the subdivision.

Figure 1 shows the location of the site in relation to the area roadway system. **Figure 2** shows an aerial view of the site area.

The purpose of this study was to examine background traffic conditions, assess the impact that the proposed development will have on traffic conditions in the area, and determine if any roadway or access improvements are necessary to accommodate traffic generated by the development.

The sections of this report present the following.

- Existing roadway conditions
- A description of the proposed single family development
- Directional distribution of the development generated traffic
- Vehicle trip generation for the proposed single family development
- Future traffic conditions including access to the site
- Traffic analyses for the weekday morning and evening peak hours
- Recommendations with respect to adequacy of the site access roads, adjacent roadway network, and internal roadway network



Site Location

Figure 1



Aerial View of Site Location

Figure 2

Existing Conditions

Existing transportation conditions in the vicinity of the site were documented based on a field visit conducted by KLOA, Inc. in order to obtain a database for projecting future conditions. The following provides a description of the geographical location of the site, physical characteristics of the area roadway system including lane usage and traffic control devices and existing peak hour traffic volumes.

Site Location

The proposed site is located within Phase 2 of Prestwick subdivision which is located in the southwest quadrant of the intersection of Schoolhouse Road (IL 126) and Ashley Road. The subdivision, of which Phase 1 is partially occupied, was approved for a total of 345 single-family homes. The proposed school will replace 84 approved single-family lots.

Existing Roadway System Characteristics

The characteristics of the existing roadways near the site are described below.

Schoolhouse Road (IL 126) is an east-west arterial road that provides a two-lane rural cross-section within the vicinity of the site. No parking is allowed on either side of the road. Schoolhouse Road (IL 126) is under the jurisdiction of Illinois Department of Transportation (IDOT). Within the vicinity of the site, the roadway has a posted speed limit of 50 mph and carries an average daily traffic (ADT) volume of 6,650 vehicles.

Ashley Road is a north-south two-lane road that terminates at its stop sign controlled intersection with Schoolhouse Road (IL 126). The roadway is under the jurisdiction of Kendall Township, has a 55 mph speed limit and carries an average daily traffic (ADT) of 500 vehicles.

Pennman Road is a two-lane road that provides access to Prestwick subdivision. Its approach to Schoolhouse Road (IL 126) is under stop sign control. No turn lanes are provided on Schoolhouse Road (IL 126)

Existing Traffic Volumes

In order to determine current traffic conditions in the vicinity of the site, KLOA, Inc. conducted peak period traffic counts at the following intersections.

- Schoolhouse Road (IL 126) with Ashley Road
- Schoolhouse Road (IL 126) with Pennman Road

The traffic counts were conducted on Tuesday, August 11, 2013 during the morning (7:00 to 9:00 A.M.) and evening (3:00 to 6:00 P.M.) peak periods. The results of the traffic counts showed that the weekday morning peak hour of traffic occurs from 7:30 A.M. to 8:30 A.M. and the evening peak hour of traffic occurs from 4:00 P.M. to 5:00 P.M. **Figure 3** illustrates the existing peak hour traffic volumes.

Traffic Characteristics of the Proposed Development

In order to properly evaluate future traffic conditions in the surrounding area, it was necessary to determine the traffic characteristics of the proposed development, including the directional distribution and volumes of traffic that it will generate.

Proposed Development Plan

As proposed, the plans call for a high school with a maximum enrollment of 850 students. Access to the proposed site will be provided mainly off Ashley Road with secondary access off Schoolhouse Road (IL 126) via Penman Road.

Directional Distribution of Site Traffic

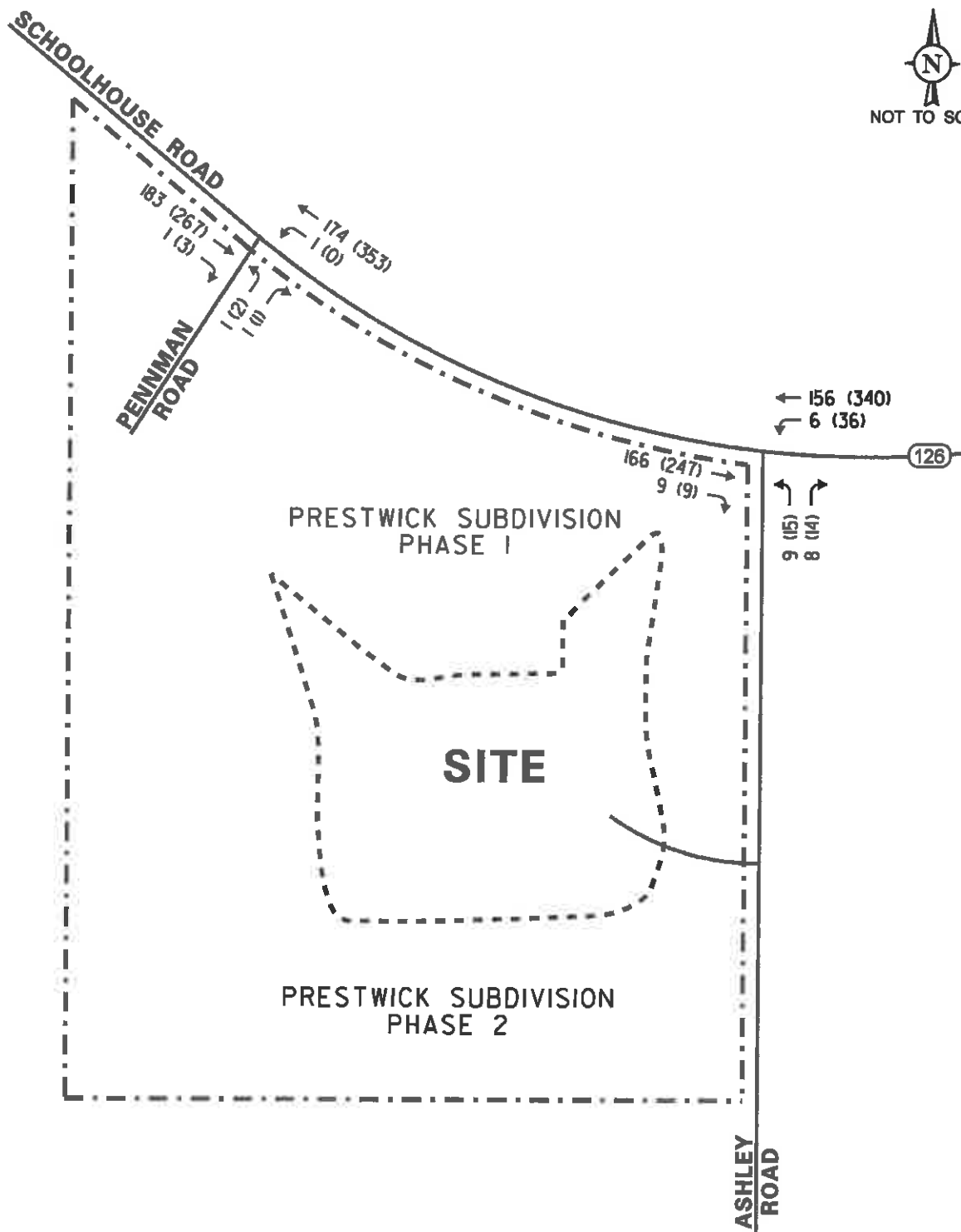
The directional distribution of future site-generated trips on the roadway system is a function of several variables, including the operational characteristics of the roadway system and the ease with which drivers can travel over various sections of the roadway system without encountering congestion. The directions from which site-generated traffic will approach and depart the site were estimated based on existing travel patterns, as determined from the traffic counts. **Figure 4** illustrates the directional distribution of traffic.

Estimated Site Traffic Generation

The volume of traffic generated by a development is based on the type of land use and the size of the development. The number of peak hour vehicle trips estimated to be generated by the proposed high school was based on vehicle trip generation rates contained in the *Trip Generation Manual*, 9th Edition, published by the Institute of Transportation Engineers (ITE).

Table 1
SITE-GENERATED TRAFFIC VOLUMES

ITE Land- Use Code	Type/Size	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
		In	Out	Total	In	Out	Total	
530	High School (850 Students)	230	135	365	80	165	245	1,450



LEGEND

- 00 - AM PEAK HOUR (7:30-8:30 AM)
- (00) - PM PEAK HOUR (4:00-5:00 PM)

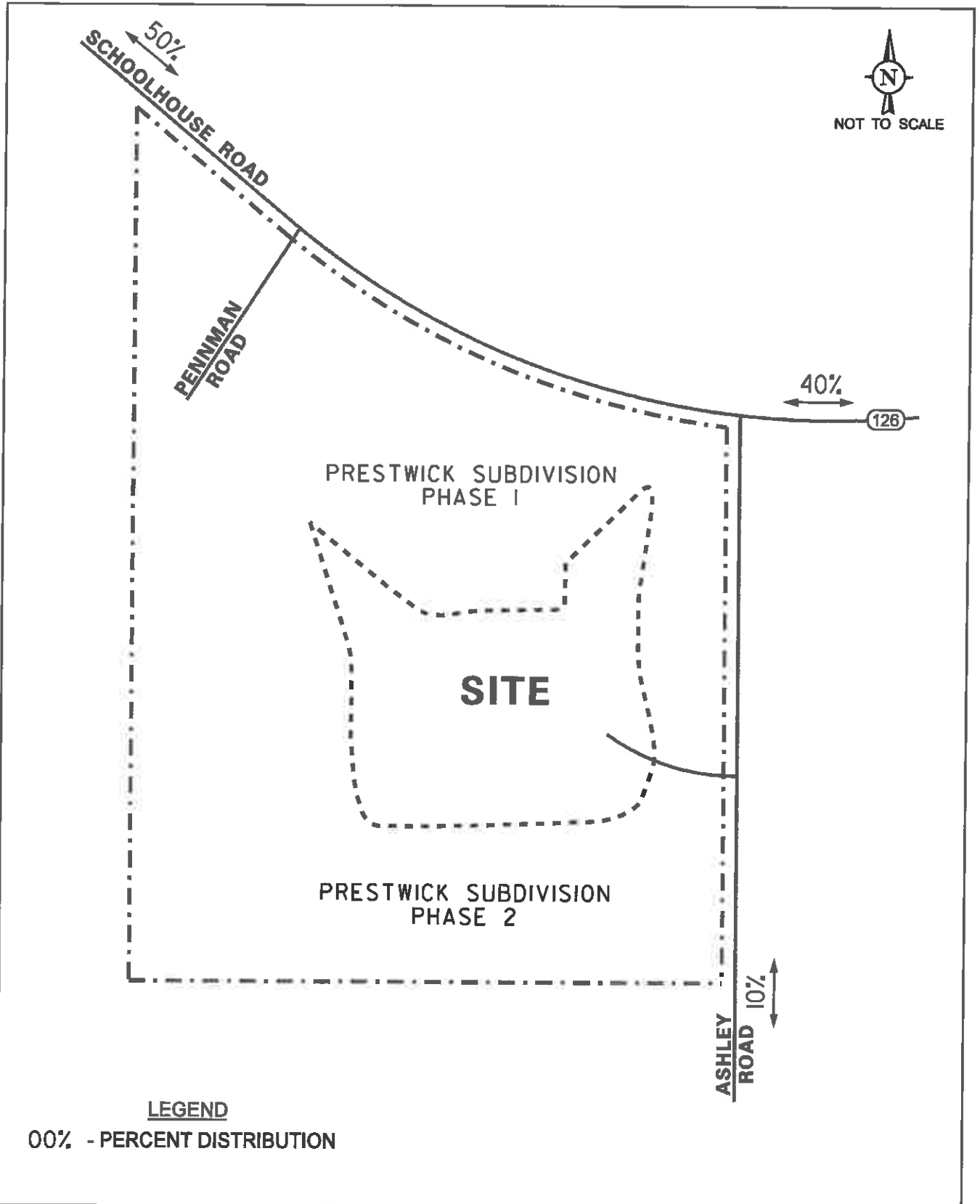
PROJECT:

Yorkville Christian
High School

TITLE:

Existing Weekday Traffic Volumes





PROJECT: Yorkville Christian High School	TITLE: Estimated Directional Distribution	KLOA Job No: 13-138
		Figure: 4

As shown in Table 1, the development is estimated to generate approximately 365 two-way vehicle trips during the weekday morning peak hour, approximately 245 two-way vehicle trips during the weekday evening peak hour, and 1,450 total vehicle trips during the day. It should be noted that the estimated trips represent the peak hours of the school which in the morning it coincides with the roadway system peak hour while in the evening it occurs prior to the street system peak hour. However, for the purpose of this analysis, the evening trip generation was assumed to coincide with the roadway system's peak hour. Furthermore, while the school is anticipated to generate some of its traffic from within Prestwick subdivision, it was assumed, in order to further present a conservative analysis, that all trips will be external.

Trip Generation Comparison

As indicated earlier, the proposed school site within Phase 2 of Prestwick subdivision will replace approximately 84 single-family home sites. Table 2 is proposed summarizing the amount of traffic the eliminated lots will generate utilizing ITE trip generation rates.

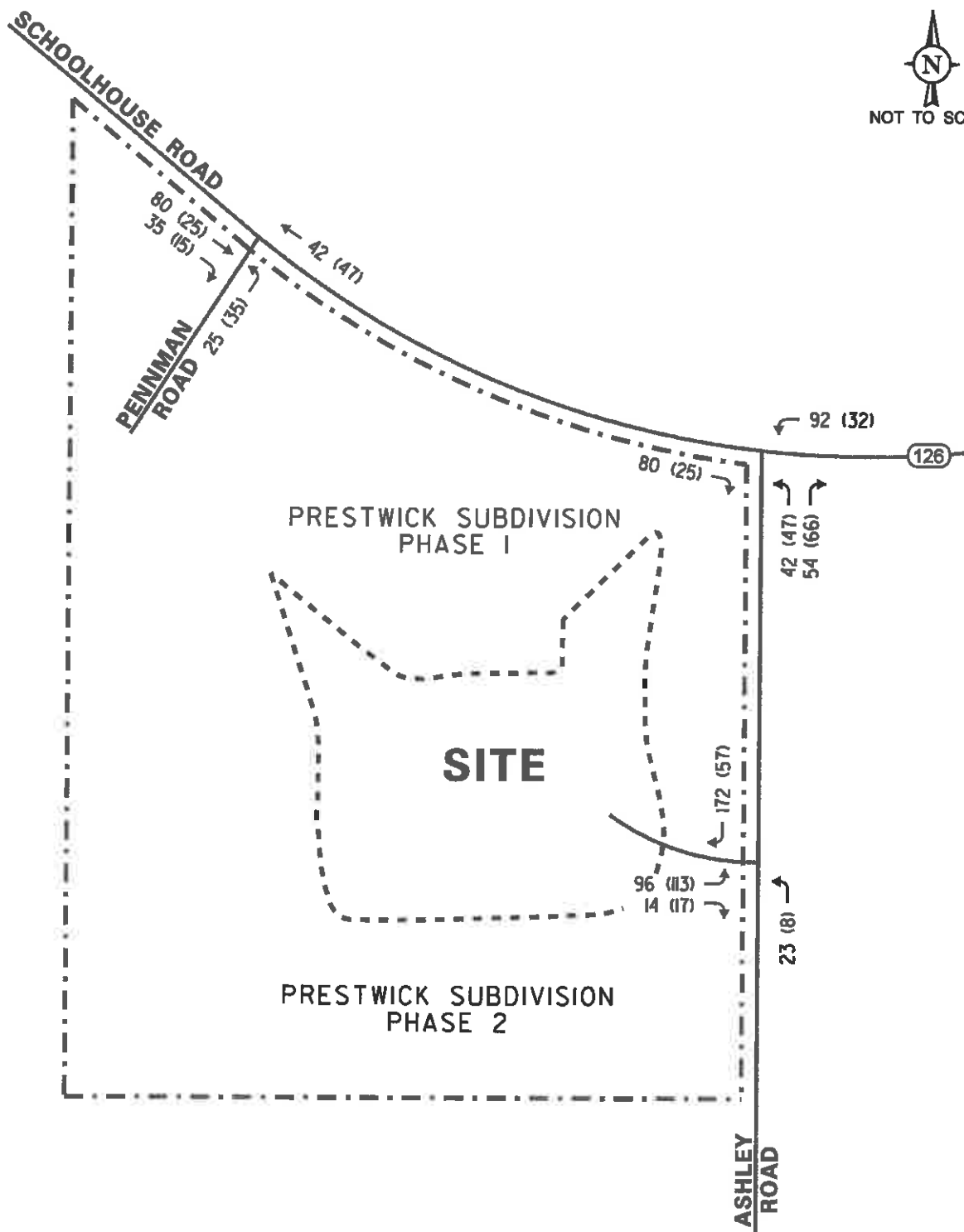
Table 2
TRIP GENERATION COMPARISON

ITE Land- Use Code	Type/Size	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
		In	Out	Total	In	Out	Total	
210	84 Single-Family Homes	17	52	69	76	44	121	894

When compared to the amount of traffic the school will generate at full occupancy, it can be seen that the proposed school will result in an increase of approximately 296 trips during the morning peak hour, 124 trips during the evening peak hour and 556 daily trips. It is important to note that the school trips are conservative in that not all of the trips will be generated externally and that the estimated trips in the evening peak hour will occur before the roadway system peak hour.

Projected Traffic Volumes

The estimated weekday morning and evening peak hour traffic volumes that will be generated by the proposed development were assigned to the roadway system (**Figure 5**) in accordance with the previously described directional distribution. In addition to the traffic generated by the development, the study also included traffic that will be generated by the full buildout of the Prestwick subdivision as well as the increase in background traffic assumed at two percent per year applied over a seven year period. The existing traffic volumes were therefore increased by fourteen percent and combined with the peak hour traffic volumes generated by the proposed school and buildout of Prestwick subdivision to determine the projected traffic volumes which are shown in **Figure 6**.



LEGEND

00 - AM PEAK HOUR (7:30-8:30 AM)
(00) - PM PEAK HOUR (4:00-5:00 PM)

PROJECT:

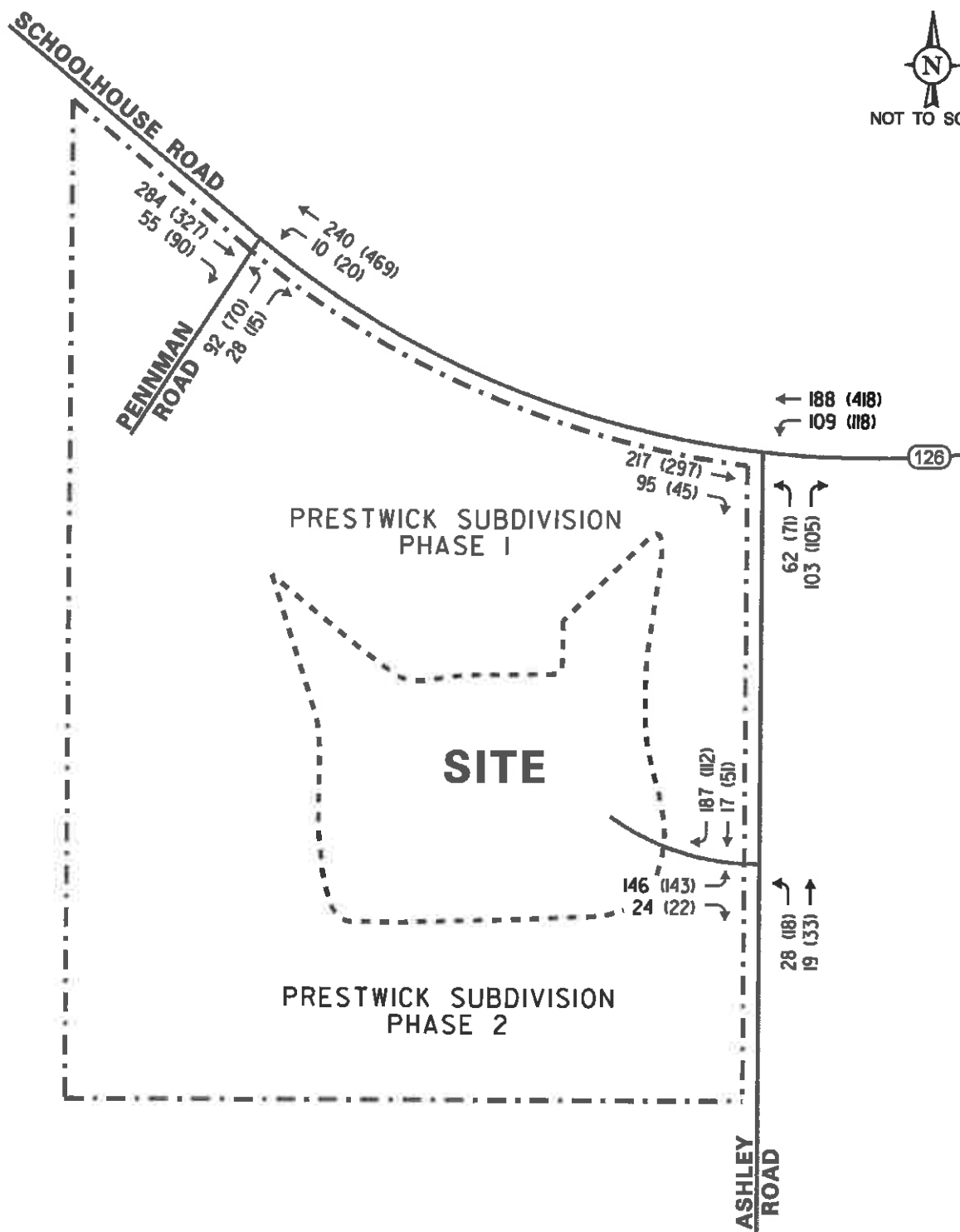
Yorkville Christian
High School

TITLE:

Estimated Site-Generated
Traffic Volumes

KLOA
Job No: 13-138

Figure: 5



LEGEND

- 00 - AM PEAK HOUR (7:30-8:30 AM)
- (00) - PM PEAK HOUR (4:00-5:00 PM)

PROJECT:

Yorkville Christian
High School

TITLE:

Projected Total Traffic Volumes

KLOA
Job No: 13-138

Figure: 6

Site Access

Access to the school site will be provided via two access roads: a full ingress-egress access road on Schoolhouse Road (IL 126) via the existing Pennman road and a full ingress/egress access road on Ashley Road via the proposed access road planned to serve Phase 2 of the Prestwick subdivision.

Schoolhouse Road (IL 126) and Pennman Road

A full ingress/egress access road is provided on Schoolhouse Road (IL 126) via Pennman Road. Outbound movements from this access road are under stop control. This approach will operate at acceptable levels of service in the morning and evening peak hours under proposed conditions. A westbound left-turn lane should be provided on Schoolhouse Road (IL 126) meeting IDOT's design criteria for 30 mph speed limit (220 feet of taper and 215 feet of storage). An eastbound right-turn lane will not be required or warranted. A northbound right turn lane will not be necessary.

Ashley Road and Proposed Access Road

A full ingress/egress access road will be provided on Ashley Road approximately 1,800 feet south of Schoolhouse Road (IL 126). Outbound movements from this access road will be under stop control. Widening of Ashley Road to provide turn lanes will not be necessary.

Traffic Analysis

Traffic analyses were performed for the intersections within the study area to determine the operation of the existing roadway system, evaluate the impact of the proposed single family home development, and determine the ability of the existing roadway system to accommodate projected traffic demands. Analyses were performed for the weekday morning and evening peak hours for the existing traffic volumes and the projected traffic volumes.

The traffic analyses were performed using HCS 2010 computer software, which is based on the methodologies outlined in the Transportation Research Board's *Highway Capacity Manual (HCM)*, 2010. The ability of an intersection to accommodate traffic flow is expressed in terms of level of service, which is assigned a letter grade from A to F based on the average control delay experienced by vehicles passing through the intersection. Control delay is that portion of the total delay attributed to the traffic signal or stop sign control operation and includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. Level of Service A is the highest grade (best traffic flow and least delay), Level of Service E represents saturated or at-capacity conditions, and Level of Service F is the lowest grade (oversaturated conditions, extensive delays). For two-way stop controlled (TWSC) intersections, levels of service are only calculated for the approaches controlled by a stop sign (not for the intersection as a whole).

The *Highway Capacity Manual* definitions for levels of service and the corresponding control delay for unsignalized intersections are shown in **Table 2**. The results of the capacity analysis are summarized in **Table 3** for the existing volumes and **Table 4** for the projected volumes.

Table 2
LEVEL OF SERVICE CRITERIA—UNSIGNALIZED INTERSECTIONS

Level of Service	Average Total Delay (SEC/VEH)
A	0 - 10
B	> 10 - 15
C	> 15 - 25
D	> 25 - 35
E	> 35 - 50
F	> 50

Source: *Highway Capacity Manual*, 2010.

Table 3
CAPACITY ANALYSIS RESULTS—EXISTING TRAFFIC CONDITIONS

Intersection	Weekday A.M. Peak Hour		Weekday P.M. Peak Hour	
	LOS	Delay	LOS	Delay
Schoolhouse Road (IL 126) with Ashley Road	B	10.0	B	12.2
Schoolhouse Road (IL 126) with Pennman Road	B	10.7	B	12.3

LOS - Level of Service

Delay - Measured in seconds.

Represents operation of the approach under stop sign control.

Table 4
CAPACITY ANALYSIS RESULTS—FUTURE TRAFFIC CONDITIONS

Intersection	Weekday A.M. Peak Hour		Weekday P.M. Peak Hour	
	LOS	Delay	LOS	Delay
Schoolhouse Road (IL 126) with Ashley Road	B	11.8	B	13.9
Schoolhouse Road (IL 126) with Pennman Road	B	12.9	C	15.1
Ashley Road with Proposed Access Road	A	9.9	B	10.6

LOS - Level of Service

Delay - Measured in seconds.

Represents operation of the approach under stop sign control.

Traffic Evaluation

The results of the capacity analysis indicate that the intersection of Schoolhouse Road (IL 126) with Ashley Road currently operates at an acceptable level of service during morning and evening peak hours. With the additional traffic resulting from the development of the site and the ambient growth, the intersection will continue to operate at an acceptable level of service. It is recommended that a westbound left-turn lane be provided on Schoolhouse Road (IL 126) and that Ashley Road be widened to provide two northbound lanes striped to indicate an exclusive left-turn lane and an exclusive right-turn lane. The outbound movements from Ashley Road should continue to be under stop sign control. An eastbound right-turn lane will not be required or warranted.

At the intersection of Schoolhouse Road (IL 126) with Pennman Road, the intersection will continue to operate at acceptable levels of service assuming the provision of a westbound left-turn lane. An eastbound right-turn lane will not be required nor warranted. At the intersection of Ashley Road with the proposed access road, acceptable levels of service are projected to occur with traffic exiting the development under stop sign control. No widening of Ashley Road will be necessary.

Conclusion and Recommendations

Based on the proposed development plans and the preceding traffic impact study, the following conclusions and recommendations are made.

- The addition of the new traffic generated by the proposed school will be accommodated by the roadway system.
- Westbound left-turn lanes should be provided on Schoolhouse Road (IL 126) at its intersections with Ashley Road and Pennman Road.
- The two site access roads will be adequate to serve the total traffic that will be generated by the proposed school and full occupancy of Prestwick subdivision.



Memorandum

To: Plan Council
From: Krysti Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Date: March 13, 2018
Subject: **PZC 2018-04 Prestwick of Yorkville**
Annexation Agreement & Final Plat Amendment Submittal

I have reviewed the following documents: Final Plat of Subdivision date revised February 21, 2018; Overall Site Plan dated February 2, 2018 prepared by HR Green; and Traffic Study Addendum dated February 16, 2018 prepared by KLOA.

I have also reviewed the proposed draft Third Amendment to the Annexation Agreement of the Yorkville Farms Development and the United City of Yorkville (Prestwick of Yorkville Subdivision) dated February 27, 2018 and prepared by Patti Bernhard, attorney, of Dommermuth, Cobine, West, Gensler, Philipchuck, Corrigan and Bernhard, Ltd. regarding the Prestwick of Yorkville development generally located in the southwest quadrant of Rte. 126 and Ashley Road. Based upon my review and those of other city and local agency staff members of these plans and documents, I have compiled the following comments:

General Comments:

- Per the amended Annexation Agreement approved in 2013 (Ord. No. 2013-56) Lot 358 of the original Final Plat was resubdivided for the purpose of accommodating the new private high school.
- Per Ordinance 2013-56, the developer was given credit against all City and County required road impact fees to which would be collected at time of building permit issuance based upon the understanding that the developer would make roadway improvements to IL Route 126 at Penman, Ashley Road and IL Route 126 intersection and Ashley Road improvements adjacent to Lot 358 where the new school will be located.
- Per Ordinance 2013-56, the Developer agreed to provide all required security for the high school development and roadways.
- Per Ordinance 2013-56, the City agreed to allow the school to open with forty percent (40%) of the required parking in place and the remaining sixty percent (60%) to be land banked and installed as determined by the City.
- Ordinance 2014-57, approved in October 2014 authorizing the Final Plat for the school, stipulated in Exhibit B that the improvements to IL Route 126 at Penman and IL Route 126 at Ashley Road must be substantially completed prior to the issuance of an occupancy permit for the school.
- Ordinance 2014-26, approved in May 2014, allowed for the release/reduction in the security requirements for the roadway completion as part of the development with the written acknowledgement and agreement by the Owner/Developer that no certificate of occupancy for the school or any other structure constructed on the property will be issued

by the City until such time a deposit sufficient for the roadway improvements related to the IL Route 126 intersection with IDOT has been provided.

- As of the date of this memorandum, no intersection or roadway improvements to IL Route 126 at Penman, intersection of Ashley Road and IL Route 126, nor the Ashley Road improvements adjacent to Lot 358 have occurred.

Amended Final Plat of Subdivision/Overall Site Plan Comments:

- Per Section 10-16-3 of the Zoning Ordinance, off-street parking requirements for high schools are calculated as 0.25 per student plus 1 per staff. Phase 1 of the school development anticipates 100 students and 20 staff members, thereby requiring a minimum of 45 parking stall. The developer proposes to install 144 parking spaces in Phase 1. The minimum parking requirements have been met.
- Would the developer be amenable to sign Mustang Way for the entire length of the street rather than bifurcating the street into two (2) names, Mustang Way and Whitekirk Lane? It is understood that Whitekirk Lane was approved and platted in the existing Unit 1 Final Plat, but have suggested this change for ease of use.
- Additional comments regarding the Final Plat of Subdivision will be provided by the City's engineering consultant, Engineering Enterprises, Inc. under a separate memorandum.

Amended Annexation Agreement Comments:

- Staff is not supportive of postponing the roadway improvements (access point) off of Ashley Road adjacent to the school site until such time Phase II of the development has commenced construction, as the intent of the original annexation agreement amendment (Ord. 2013-56) and subsequent approvals related to this development were contingent upon the roadway improvements being completed.
- Should the City consider the requested postponement of the improvements, we would recommend not tying the trigger for construction to the development of Phase II (which has not been final platted), but to a fixed number of permits issued in Phase I, such as after the issuance of the 1st 50 certificate of occupancies, the developer would be required to commence construction of the roadway improvements off of Ashley Road and be completed by a certain date or no further building permits will be issued.
- Staff would further recommend if the postponement of the Ashley Road improvements are approved that the developer would be required to post a sufficient security deposit in the form of a letter of credit, bond or cash to cover the required work.
- The petitioner also sought to include the following additional language in the proposed amended annexation agreement:

The City releases its review and approval rights contained in The Highlands at Ashley Pointe Declaration of Covenants and Restrictions recorded in Kendall County on May 2, 2007 as Document No. 200700014390.

- Per the attached e-mail from the City Attorney's office dated March 12, 2018, "...the City of Yorkville does not currently have review and approval rights over architectural

design of the subdivision. Section 4.3.10 provides that the City must issue a building permit for out-buildings but leaves architectural decision in the hands of the Architectural Review Board (“ARB”). That said, no amendment is necessary. If an amendment were required, it would need to be done in accordance with Article 14 of the Declaration and not through the Annexation Agreement.”

- Staff does not recommend this language be included in the amended agreement.



Engineering Enterprises, Inc.

March 14, 2018

Ms. Krysti Barksdale-Noble
Community Development Director
United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560

**Re: Yorkville Christian School
Final Engineering Plans
United City of Yorkville, Kendall County, Illinois**

Dear Krysti:

We are in receipt of the following items for the above referenced project:

- Final Engineering Plans (32 sheets) dated February 2, 2018 and prepared by HR Green
- Final Plat of Subdivision revised dated February 21, 2018 and prepared by HR Green
- Landscape Plan dated February 2, 2018 and prepared by HR Green
- Traffic Study Addendum dated February 16, 2018 and prepared by KLOA
- Overall Site Plan dated February 2, 2018 and prepared by HR Green
- Storm Sewer Design Report dated February 21, 2018 and prepared by HR Green
- Stormwater Exhibits dated February 2, 2018 and prepared by HR Green
- IEPA Sanitary and Water Permit Applications

Our review of these plans is to generally determine their compliance with local ordinances and whether the improvements will conform to existing local systems and equipment. This review and our comments do not relieve the designer from his duties to conform to all required codes, regulations, and acceptable standards of engineering practice. Engineering Enterprises, Inc.'s review is not intended as an in-depth quality assurance review, we cannot and do not assume responsibility for design errors or omissions in the plans. As such, we offer the following comments:

General

1. An Engineers Opinion of Probable Construction Costs should be provided for the project. The cost opinion should include the public improvements and erosion control costs for use in establishing the required construction guarantee. In addition, an estimate for all site improvements needs to be provided for use in calculating development fees.
2. The plans should be submitted to the Yorkville-Bristol Sanitary District for review. Their comments should be provided to the City and EEI upon receipt.

3. The Community Development Department should confirm that an adequate number of parking spaces has been provided for the expansion.
4. The landscape review comments from PRI are attached.
5. A photometric plan with light intensity values and manufacturer's cut sheets and light pole details for selected light poles needs to be provided.

Engineering Plans

6. The intersection at Prestwick Lane and the entrance will need to be a four-way stop. Appropriate signage should be installed.
7. The driveway aprons within City row should be concrete.
8. Connection of the 8" water main to the north-south running 8" water main along Mustang Way should be shown in greater detail.
9. It should be noted that at the connection to the existing water main, the new main will be pressure tested against an old valve. This valve may require replacement.
10. The water main will be required to be looped.
11. The Developer is proposing a limestone path within the planned Mustang Way row. The City should confirm that this will be acceptable.
12. The developer is showing a "future grass overflow parking lot". The City should confirm that this will be acceptable.

Traffic Study Addendum

13. The report states Phase I buildout has 103 single family homes in several locations. It should be corrected to read 108.
14. The previous Traffic Impact Study dated August 2013 used a traffic growth rate of 2% per year. No explanation was provided for why 1% per year used in the Addendum. Looking at IDOT traffic counts, IL Route 126 had an ADT of 6,650 in 2011 (the ADT stated in the 2013 study) and an ADT of 7,350 in 2016. That results in greater than 2% growth per year. Detailed support should be provided as to why 1% was chosen.
15. It should be verified on whether buses are planned to be used for the school.
16. The Phase II residential buildout was not included in the capacity analysis for the intersection of Penman Road and IL Route 126. Presumably, some of that traffic will be entering/exiting the subdivision through the Penman Road entrance. This will need to be analyzed in the future.
17. We do not support a non-roadway connection to Ashley Road for the full build-out of the school. This should be reviewed and discussed in further detail with Community Development.

18. Timing triggers for the expansion of the parking lot should be reviewed and discussed in further detail with Community Development.
19. We recommend that the main entrance/exit from the future parking area to the future Mustang Way connection align with the Ashley Road connection to limit disruption to future residential owners.

Final Plat of Subdivision

20. "Heretofore Dedicated" along with width and document number dedicating the adjacent roadways need to be added to the plat.
21. Whitekirk Lane, adjacent to the west line of Lot 1 needs to be labeled and dimensioned.
22. Easements are needed for the offsite storm sewer.
23. The gas line servicing the building appears to be outside the right of way, at the end of the proposed Mustang Way right of way and needs to be placed in an easement.
24. The easement adjacent to Whitekirk Lane, along the west line of Lot 2 needs to be labeled and have a note saying, "hereby granted", unless it is a PU&DE. If this is the case it should be removed since there is a blanket PU&DE being granted over all of Lot 2.
25. A 10' PU&DE is needed along the west line of Lot 1 adjacent to Whitekirk Lane.
26. The City Plan Commission Certificate should be removed and the "City Planning and Zoning Commission Certificate" noted below should be added.

CITY PLANNING AND ZONING COMMISSION CERTIFICATE

STATE OF ILLINOIS))ss
COUNTY OF KENDALL)

APPROVED AND ACCEPTED BY THE PLANNING AND ZONING COMMISSION OF THE UNITED CITY OF YORKVILLE, ILLINOIS, THIS ____ DAY OF _____, 20__.

CHAIRMAN

27. The PU&DE for the water main needs to be a minimum of 15 feet.
28. City staff is not in favor of the proposed street name for the row dedication. The street name of Whitekirk Lane should be continued.

IEPA Permit Applications

29. EEI has marked up the IEPA permit applications and will send them back to the design engineer for correction. Once all corrections are made, signatures may be obtained. The changes to the IEPA sanitary and water permit applications that need to be made include the following:
- The Facility ID number should be provided on the "Division of Public Water Supplies Application for Construction Permit" and the "Division of Public Water Supplies, Permit Section Schedule B – Water Main Construction". The City's Facility ID number is: 0930250.
 - Sections of the IEPA water permitting forms that require signature of authorized public water supply official should be signed by Gary J. Golinski, the Mayor of Yorkville.
 - In Section 6.2 of the IEPA Schedule A/B permit application, the description boxes for building use and activity should be filled out with statements that make the use of the non-residential building known as a private school/education facility.
30. The water application will have to be revised to reflect revisions to the plans to provide for water main looping.

The Developer should make the necessary revisions and re-submit plans and supporting documents along with a disposition letter for further review. If you have any questions or require additional information, please contact our office.

Sincerely,

ENGINEERING ENTERPRISES, INC.



Bradley P. Sanderson, P.E.
Vice President

BPS/TNP/BCS

pc: Mr. Bart Olson, City Administrator (Via e-mail)
Ms. Erin Willrett, Assistant City Administrator (Via e-mail)
Mr. Jason Engberg, Senior Planner (Via e-mail)
Mr. Eric Dhuse, Director of Public Works (Via e-mail)
Mr. Pete Ratos, Building Department (Via e-mail)
Ms. Dee Weinert, Admin Assistant (Via e-mail)
Ms. Lisa Pickering, Deputy Clerk (Via e-mail)
Mr. Cyrus McMains, YBSD (Via e-mail)
Ms. Michelle Stewart (via Email)
Mr. David Schultz, HR Green (via Email)
TNP, JAM, EEI (Via e-mail)



PLANNING
RESOURCES INC.

402 West Liberty Drive
Wheaton, Illinois 60187
Web: www.planres.com
P: 630.668.3788
F: 630.668.4125

Memorandum

PP13032-36

To: Tim Paulson, Engineering Enterprises, Inc.
From: Planning Resources Inc.
Date: February 28, 2018
Subject: Yorkville Christian School
Landscape Review #1

Items Reviewed:

Per your request, Planning Resources has reviewed the below-referenced documentation for compliance with requirements of the City of Yorkville.

- Landscape Plan, dated 2/2/18, by HRGreen (Sheets L-01 – L-05)
- Yorkville Ordinance No. 2009-42

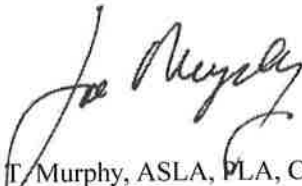
Review Comments

1. **Parkway Landscaping** – the plan says 9 parkway trees have been provided – there are only 7 proposed shown on drawings.
2. **Perimeter Landscaping/Parking Lot** — The substitution of the shrubs for the trees in the landscape medians of the parking lot are an acceptable ratio.
3. **Lot Landscaping** – shade trees required = 54, shrubs required = 405. Plans provide 57 trees (drawing states 54) and 411 shrubs – **approved**.
4. **Storm Water Storage Basin Landscaping** – see section 8-12-2-F: “*Storm Water Storage Basin Landscaping*” – a 30’ buffer yard is required around any storm water basin. Plans do not show a storm water basin buffer yard around all of the rain gardens. They are considered the storm water management and the buffers would apply. Please revise.
5. **Credit for Existing Vegetation** – refer to section 8-12-3-G. Add a table to the Tree Preservation Plan that shows the credits for preserving existing vegetation.
6. **Plant List** — Rain Garden Seed Mix:
Upon review of the rain garden seed mix and related Perennial Groundcovers; Please consider substitutions or alternative species for use in proposed parking lot islands and future perimeter rain gardens. Please note that a majority of these native species may prefer drier conditions as per the (Plants of The Chicago Region, Swink & Wilhelm 4th ed.) These species are considered upland plants and wet conditions may negatively impact growth habits: (Bouteloua, Ratibida, Rudbeckia, Chamecrista, Baptisia, Liatris, Echinacea, Coreopsis, Schizachyrium, Panicum, Koeleria, Elymus, Sporobolus and Ceanothus.)

PLANNERS
ECOLOGISTS
LANDSCAPE
ARCHITECTS

7. **Planting Details** – all the details shown for this project are acceptable as indicated.
8. **Additional Comments:**
 - a. See Section 8-12-2E: "*Landscaping Adjacent to Primary and Secondary Arterials and Collector*". *Sheets L-01-L03* – **indicate 30' landscape buffers along arterials; both Mustang Way and Whitekirk Lane apply to this requirement.**
 - b. **Please add a cross section detail for the parking lot island rain gardens showing the plantings, granite cobbles, curbing etc.**
 - c. **Sheet L-04:**
 - i. **The variety of Gleditsia is 'Skyline'**

With respect,



Joseph T. Murphy, ASLA, PLA, CLARB
Landscape Architect



Robert Kamis, ASLA, SER
Senior Ecologist/Wetland Specialist

**NOTICE OF PUBLIC HEARING
TO BE HELD TUESDAY, APRIL 10, 2018
AT 7:00 P.M. AT CITY HALL
UNITED CITY OF YORKVILLE
800 GAME FARM ROAD
YORKVILLE, ILLINOIS**

NOTICE IS HEREBY GIVEN a public hearing shall be held on a third amendment to that certain Annexation Agreement (Prestwick of Yorkville Subdivision) dated April 26, 2005, as amended October 8, 2013 and May 27, 2014, by and among Yorkville Farms Development, LLC. (*Owner/Developer*), an Illinois Limited Liability Corporation, and the United City of Yorkville, Kendall County, Illinois, on April 10, 2018 at 7:00 p.m. at City Hall at the United City of Yorkville, 800 Game Farm Road, Yorkville, Illinois for the purpose of amending the requirements for the construction of an access roadway from the Yorkville Christian School site to Ashley Road.

Legal Description:

UNIT 1:

LOTS 1 TROUGH 10, INCLUSIVE, LOTS 12 TROUGH 41, INCLUSIVE, LOTS 43 THROUGH 50, INCLUSIVE, LOTS 52 THROUGH 63, INCLUSIVE, LOT 65 THROUGH 108, INCLUSIVE, LOTS 357 THROUGH 363, INCLUSIVE, AND LOT 365 IN PRESTWICK OF YORKVILLE UNIT 1, BEING A SUBDIVISION OF PART OF SECTIONS 3 & 10, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 31, 2006, AS DOCUMENT NUMBER 200600035287, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

UNIT 2:

THAT PART OF THE EAST HALF OF SECTION 10, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE SOUTH 01 DEGREES 32 MINUTES 35 SECONDS EAST ALONG THE WEST LINE OF THE EAST HALF OF SAID SECTION 10, 1776.14 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 54 DEGREES 40 MINUTES 34 SECONDS EAST, 258.23 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 283.00 FEET AND A CHORD BEARING OF NORTH 38 DEGREES 32 MINUTES 30 SECONDS EAST, AN ARC LENGTH OF 31.79 FEET; THENCE NORTH 41 DEGREES 45 MINUTES 34 SECONDS EAST, 269.09 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 283.00 FEET AND A CHORD BEARING OF NORTH 68 DEGREES 21 MINUTES 45 SECONDS EAST, AN ARC LENGTH OF 262.80 FEET; THENCE SOUTH 85 DEGREES 02 MINUTES 05 SECONDS EAST, 0.59 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT WITH A RADIUS OF 25.00 FEET AND A CHORD BEARING OF NORTH 54 DEGREES 36 MINUTES 04 SECONDS EAST, AN ARC LENGTH OF 35.22 FEET; THENCE SOUTH 75 DEGREES 45 MINUTES 48 SECONDS EAST, 70.00 FEET; THENCE SOUTHERLY ALONG A CURVE TO THE LEFT WITH A RADIUS OF 265.00 FEET AND A CHORD BEARING OF SOUTH 14 DEGREES 09 MINUTES 29 SECONDS WEST, AN ARC LENGTH OF 0.73 FEET; THENCE SOUTH 75 DEGREES 55 MINUTES 15 SECONDS EAST, 145.79 FEET; THENCE SOUTH 00 DEGREES 43 MINUTES 57 SECONDS WEST, 61.16 FEET; THENCE SOUTH 29 DEGREES 47 MINUTES 52 SECONDS EAST, 37.26 FEET; THENCE NORTH 76 DEGREES 49 MINUTES 03 SECONDS EAST, 116.69 FEET; THENCE SOUTH 81 DEGREES 47 MINUTES 13 SECONDS EAST, 153.95 FEET; THENCE SOUTH 63 DEGREES 29 MINUTES 31 SECONDS EAST, 112.02 FEET; THENCE SOUTH 45 DEGREES 59 MINUTES 45 SECONDS EAST, 111.92 FEET; THENCE SOUTH 29 DEGREES 23 MINUTES 15 SECONDS EAST, 55.65 FEET; THENCE NORTH 78 DEGREES 20 MINUTES 45 SECONDS EAST, 90.04 FEET; THENCE NORTH 82 DEGREES 41 MINUTES 33 SECONDS EAST, 88.65 FEET; THENCE NORTH 87 DEGREES 00 MINUTES 20 SECONDS EAST, 88.65 FEET; THENCE SOUTH 88 DEGREES 40 MINUTES 53 SECONDS EAST, 88.65 FEET; THENCE SOUTH 88 DEGREES 00 MINUTES 08 SECONDS EAST, 85.86 FEET; THENCE SOUTH 83 DEGREES 43 MINUTES 10 SECONDS EAST, 238.13 FEET; THENCE NORTH 04 DEGREES 45 MINUTES 16 SECONDS EAST, 13.20 FEET; THENCE NORTH 11 DEGREES 14 MINUTES 44 SECONDS EAST, 288.09 FEET; THENCE NORTH 62 DEGREES 41 MINUTES 24 SECONDS EAST, 127.61 FEET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 267.00 FEET AND A CHORD BEARING OF SOUTH 22 DEGREES 18 MINUTES 37 SECONDS EAST, AN ARC LENGTH OF 46.60 FEET; THENCE NORTH 72 DEGREES 41 MINUTES 23 SECONDS EAST, 216.00 FEET; THENCE SOUTH 10 DEGREES 59 MINUTES 02 SECONDS EAST, 106.45 FEET; THENCE SOUTH 01 DEGREES 40 MINUTES 08 SECONDS WEST, 106.45 FEET; THENCE SOUTH 10 DEGREES 43 MINUTES 58 SECONDS WEST, 86.80 FEET; THENCE SOUTH 11 DEGREES 14 MINUTES 44 SECONDS WEST, 80.00 FEET; THENCE SOUTH 07 DEGREES 24 MINUTES 58 SECONDS WEST, 72.99 FEET; THENCE SOUTH 05 DEGREES 14 MINUTES 55 SECONDS EAST, 71.04 FEET;

THENCE SOUTH 18 DEGREES 06 MINUTES 54 SECONDS EAST, 71.04 FEET; THENCE SOUTH 27 DEGREES 45 MINUTES 40 SECONDS EAST, 77.42 FEET; THENCE SOUTH 28 DEGREES 15 MINUTES 03 SECONDS EAST, 80.00 FEET; THENCE SOUTH 27 DEGREES 34 MINUTES 17 SECONDS EAST, 87.88 FEET; THENCE SOUTH 15 DEGREES 28 MINUTES 24 SECONDS EAST, 106.01 FEET; THENCE SOUTH 01 DEGREES 42 MINUTES 03 SECONDS EAST, 52.39 FEET; THENCE NORTH 88 DEGREES 28 MINUTES 09 SECONDS EAST, 84.51 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE SOUTH 01 DEGREES 32 MINUTES 43 SECONDS EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 74.63 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREES 27 MINUTES 24 SECONDS EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10, 1006.36 FEET TO THE SOUTHEAST CORNER OF LANDS CONVEYED TO ROBERT M. AND ELAINE E. STEWART BY DOCUMENT NO. 72-5656; THENCE SOUTH 88 DEGREES 04 MINUTES 01 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LANDS PER DOCUMENT NO. 72-5656, 2655.55 FEET TO THE SOUTHWEST CORNER OF SAID LANDS PER DOCUMENT NO. 72-5656, SAID POINT BEING ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10, AND 1876.91 FEET SOUTHERLY OF (AS MEASURED ALONG SAID WEST LINE) THE POINT OF BEGINNING; THENCE NORTH 01 DEGREES 32 MINUTES 35 SECONDS WEST, ALONG THE WEST LINE OF THE EAST HALF OF SAID SECTION 10, 1876.91 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS, AND CONTAINING 110.29 ACRES OF LAND MORE OR LESS.

The public hearing may be continued from time to time without further notice being published.

Application and information materials regarding this notice are available for public review and any questions or written comments should be addressed to the United City of Yorkville Community Development Department, City Hall, 800 Game Farm Road, Yorkville, Illinois. All interested parties are invited to attend the public hearing and will be given an opportunity to be heard.

By order of the Corporate Authorities of the United City of Yorkville, Kendall County, Illinois.

BETH WARREN
City Clerk

BY: Lisa Pickering
Deputy Clerk



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

New Business #8

Tracking Number

EDC 2018-30

Agenda Item Summary Memo

Title: Sales Tax Incentive Update

Meeting and Date: Economic Development Committee - April 3, 2018

Synopsis: See attached memo.

Council Action Previously Taken:

Date of Action: N/A Action Taken:

Item Number:

Type of Vote Required:

Council Action Requested:

Submitted by: Bart Olson Administration
Name Department

Agenda Item Notes:

Have a question or comment about this agenda item?

Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville, tweet us at @CityofYorkville, and/or contact any of your elected officials at http://www.yorkville.il.us/gov_officials.php



Memorandum

To: Economic Development Committee
From: Rob Fredrickson, Finance Director
Date: March 22, 2018
Subject: Sales Tax Incentive Update - Ratos

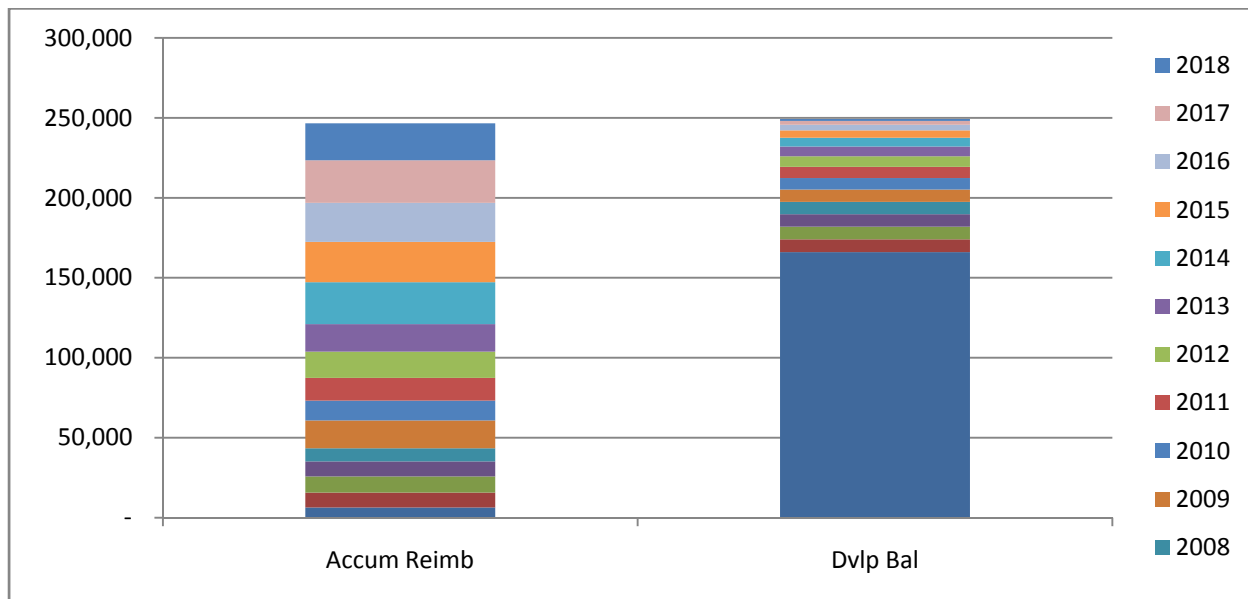
Summary

Sales Tax Incentive update between the City and developer James Ratos.

Background

In June of 2002 the City entered into a Development/Economic Initiative with James Ratos, to reimburse eligible costs associated with a development located south of US Route 34 and east of Cannonball Trail. This development, commonly known as Cannonball Run Plaza, contains several sales tax generating commercial enterprises including: Jimmy Johns; Legends Sports Bar & Grill; Lakeview Grille; Joyce Lee; and Salsa Verde.

Pursuant to the agreement, eligible costs for public improvements totaling \$166,055 were to be reimbursed to the developer from 50% of the sales tax generated from the development, with interest accruing on the balance at a rate of 5% per year. The term of the agreement was for 15 years, which expired on October 31, 2017. The graph below illustrates total accumulated sales tax (since FY 2007) reimbursed and the total value of the incentive agreement (including accrued interest).



Over the course of the 15 year incentive agreement, the development generated \$493,124 in sales tax, of which \$246,562 (including interest of \$80,507) was reimbursed to the developer. The total value of the incentive, including accrued interest, was \$249,302. The City was able to net \$2,740 due to the agreement expiring before a full reimbursement could be made.

Recommendation

Informational item.



Reviewed By:	
Legal	<input checked="" type="checkbox"/>
Finance	<input checked="" type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input checked="" type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

New Business #9

Tracking Number

EDC 2018-31

Agenda Item Summary Memo

Title: Ordinances Establishing Downtown TIF 2

Meeting and Date: Economic Development Committee - April 3, 2018

Synopsis: See attached memo

Council Action Previously Taken:

Date of Action: N/A Action Taken: _____

Item Number: _____

Type of Vote Required: Majority

Council Action Requested: Approval

Submitted by: Bart Olson Administration
Name Department

Agenda Item Notes:

Have a question or comment about this agenda item?

Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville, tweet us at @CityofYorkville, and/or contact any of your elected officials at http://www.yorkville.il.us/gov_officials.php



Memorandum

To: City Council
From: Bart Olson, City Administrator
CC:
Date: March 29, 2018
Subject: TIF 2 Ordinance

Summary

Consideration of an ordinance creating Downtown TIF 2.

Background

This item was last discussed at the March 27th City Council meeting, when the ordinance deleting properties from Downtown TIF 1 was approved. The next and final step in the creation of TIF 2 is the consideration of the trio of ordinances attached to this memo.

The first ordinance approves the redevelopment plan as originally submitted on December 1, 2017. The second ordinance sets the boundaries of the TIF district. The third ordinance approves the tax increment financing allocation for the boundaries and the redevelopment plan (the final ordinance).

Recommendation

Staff recommends approval of the attached ordinances.

**AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY,
ILLINOIS, APPROVING THE UNITED CITY OF YORKVILLE, KENDALL COUNTY,
ILLINOIS DOWNTOWN REDEVELOPMENT PROJECT AREA #2
REDEVELOPMENT PLAN**

WHEREAS, the Mayor and City Council (collectively, the “*Corporate Authorities*”) of the United City of Yorkville, Kendall County, Illinois (the “*City*”), have determined that the stable economic and physical development of the City is endangered by the presence of blighting factors as often manifested by progressive and advanced deterioration of structures and site improvements, inadequate utilities, lack of community planning, and by a decline in the equalized assessed value, all of which impair the value of private investment, threaten the sound growth and the tax base of the City and the taxing districts having the power to tax real property in the City (the “*Taxing Districts*”), and threaten the health, safety, morals, and welfare of the public; and,

WHEREAS, the Corporate Authorities have determined that in order to promote and protect the health, safety, morals, and welfare of the public, the blighting factors in certain parts of the City need to be eradicated and redevelopment of the City be undertaken in order to remove and alleviate adverse conditions, encourage private investment, and restore and enhance the tax base of the City and the Taxing Districts; and,

WHEREAS, the City has authorized an eligibility study to determine whether the proposed United City of Yorkville, Kendall County, Illinois Redevelopment Project Area # 2 (the “*Project Area*”) qualifies as a “redevelopment project area” pursuant to the Illinois Tax Increment Allocation Redevelopment Act (the “*TIF Act*”) 65 ILCS 5/11-74.4-1, *et seq.*; and,

WHEREAS, the City has heretofore evaluated various lawfully available programs to provide assistance in order to encourage private investment and has determined that the use of tax increment allocation financing is necessary to achieve the redevelopment goals of the City for the Project Area; and,

WHEREAS, the City was advised in December of 2017, that the Project Area qualifies as a “redevelopment project area” as both a “blighted” area and a “conservation” area under Section 11-74.4-3 of the TIF Act; and,

WHEREAS, it is therefore concluded by the Corporate Authorities that the improved parcels of property in the Project Area qualify as a “conservation” area and the vacant parcels of property in the Project Area qualify as a “blighted” area under Section 11-74.4-3 of the TIF Act as of the date hereof; and,

WHEREAS, the City has further caused the preparation of and made available for public inspection the United City of Yorkville, Kendall County, Illinois Downtown Redevelopment Project Area #2 Redevelopment Plan (the “*Plan*”); and,

WHEREAS, the Plan sets forth in writing the program to be undertaken to accomplish the objectives of the City and includes estimated redevelopment project costs for the Project Area, evidence indicating that the Project Area on the whole has not been subject to growth and development through investment by private enterprise, an assessment of the financial impact of the Project Area on and the minimal demand, if any, for services from any taxing district affected by the Plan, the sources of funds to pay costs, the nature and term of any obligations to be issued, the most recent equalized assessed valuation of the Project Area, an estimate as to the equalized assessed valuation after redevelopment, the general land uses to apply in the Project Area, and a commitment to fair employment practices and an affirmative action plan, and the Plan accordingly complies in all respects with the requirements of the TIF Act; and,

WHEREAS, pursuant to Section 11-74.4-5 of the TIF Act, the Corporate Authorities by an Ordinance No. 2018-02 adopted on January 9, 2018, called a public hearing (the "*Hearing*") relative to the Plan and the designation of the Project Area as a redevelopment project area under the TIF Act, and fixed the time and place for such Hearing for the 13th Day of March, 2018, at 7:00 p.m., at the United City of Yorkville, City Hall, 800 Game Farm Road, Yorkville, Illinois; and,

WHEREAS, due notice in respect to such Hearing was given pursuant to Sections 11-74.4-5 and 11-74.4-6 of the TIF Act, said notice, together with a copy of the Plan, was sent to the Taxing Districts and to the Illinois Department of Commerce and Economic Opportunity of the State of Illinois by certified mail on January 24, 2018, and was published on February 16, 2018 and February 23, 2018; and,

WHEREAS, the City has established and published an "interested parties registry" for the Project Area in compliance with the requirements of the TIF Act; and,

WHEREAS, the City gave such notice to all persons and organizations who have registered for information with such registry, all in the manner and at the times as provided in the TIF Act; and,

WHEREAS, the City gave due notice of the availability of the Plan to all residents within 750 feet of the boundaries of the Project Area, in compliance with the requirements of the TIF Act; and,

WHEREAS, the City convened a Joint Review Board, as required by and in all respects in compliance with the provisions of the TIF Act; and,

WHEREAS, the Joint Review Board met at the time and as required by the TIF Act, and reviewed the public record, planning documents, and a form of a proposed ordinance approving the Plan; and,

WHEREAS, the Joint Review Board adopted by a majority vote an advisory, non-binding recommendation that the City proceed to implement the Plan and designate the Project Area as a redevelopment project area under the TIF Act; and,

WHEREAS, the Joint Review Board based its decision on the basis of the Project Area satisfying the eligibility criteria defined in Section 11-74.4-3 of the TIF Act, and all as provided in Section 11-74.4-5(b) of the TIF Act; and,

WHEREAS, the City held the Hearing on March 13th, 2018 at the United City of Yorkville, City Hall, 800 Game Farm Road, Yorkville, Illinois at 7:00 p.m.; and,

WHEREAS, at the Hearing, any interested party or affected Taxing District was permitted to file with the City Clerk written objections and was heard orally in respect to any issues embodied in the notice of said Hearing, and the City heard and determined all protests and objections at the Hearing; and

WHEREAS, the Hearing was adjourned on the 13th day of March, 2018; and,

WHEREAS, the Plan sets forth the factors which cause the improved parcels in the Project Area to be a conservation area and the vacant parcels to be a blighted area and the Corporate Authorities have reviewed the information concerning such factors presented at the Hearing and are generally informed of the conditions in the Project Area which could cause the Project Area to be both a “conservation” area and a “blighted” area as defined in the TIF Act; and,

WHEREAS, the Corporate Authorities have reviewed evidence indicating that the Project Area on the whole has not been subject to growth and development through investment by private enterprise, and have reviewed the conditions pertaining to lack of private investment in the Project Area to determine whether private development would take place in the Project Area as a whole without the adoption of the proposed Plan and assistance as authorized by the TIF Act; and,

WHEREAS, the Corporate Authorities have reviewed the conditions pertaining to real property in the Project Area to determine whether contiguous parcels of real property and improvements thereon in the Project Area would be substantially benefited by the proposed project improvements; and,

WHEREAS, the Corporate Authorities have made an assessment of any financial impact of the Project Area on or the minimal demand, if any, for services from any Taxing District affected by the Plan and found that the redevelopment projects proposed by the Plan will not cause any significant financial impact or increased demand for facilities or services by any local taxing body; and,

WHEREAS, the Corporate Authorities have reviewed the proposed Plan and the existing comprehensive plan of the City for development as a whole and finds that the proposed Plan conforms to the comprehensive plan of the City.

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, as follows:

Section 1: Findings. The Corporate Authorities hereby make the following findings:

- (a) The Project Area is legally described in *Exhibit A*, attached hereto and incorporated herein as if set out in full by this reference. The map of the Project Area showing the street location is depicted in *Exhibit B*, attached hereto and incorporated herein as if set out in full by this reference.
- (b) There exist conditions which cause the Project Area to be subject to designation as a redevelopment project area under the TIF Act and for each improved parcel to be classified as a conservation area and each vacant parcel to be classified as a blighted area, as defined in Section 11-74.4-3 of the TIF Act.
- (c) The Project Area on the whole has not been subject to growth and development through investment by private enterprise and would not be reasonably anticipated to be developed without the adoption of the Plan.
- (d) The Plan conforms to the comprehensive plan for the development of the City as a whole.
- (e) As set forth in the Plan and in the testimony at the public hearing, the estimated date of completion of the Plan is December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of the TIF Act, is to be made with respect to ad valorem taxes levied in the 23rd calendar year after the year in which the

ordinance approving the Project Area as a redevelopment project area under the TIF Act was adopted.

- (f) The parcels of real property in the Project Area are contiguous, and only those contiguous parcels of real property and improvements thereon which will be substantially benefited by the proposed project improvements are included in the Project Area.

Section 2: Exhibits Incorporated by Reference. The Plan entitled, United City of Yorkville, Kendall County, Illinois Downtown Redevelopment Project Area #2 Redevelopment Plan, which was the subject matter of the public hearing held on the 13th day of March, 2018, is hereby adopted and approved. A copy of the Plan, which incorporates the eligibility findings is attached hereto as *Exhibit C* and is incorporated herein by this reference.

Section 3: Invalidity of Any Section. If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 4: Superseder and Effective Date. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are repealed to the extent of such conflict, and this Ordinance shall be in full force and effect immediately upon its passage by the Corporate Authorities and approval as provided by law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this
_____ day of _____, 2018.

CITY CLERK

CARLO COLOSIMO _____

KEN KOCH _____

JACKIE MILSCHEWSKI _____

ARDEN JOE PLOCHER _____

CHRIS FUNKHOUSER _____

JOEL FRIEDERS _____

SEAVER TARULIS _____

ALEX HERNANDEZ _____

Approved by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this
_____ day of _____, 2018.

MAYOR

Attest:

CITY CLERK

Exhibit A

Legal Description

United City of Yorkville, Kendall County, Illinois Downtown Redevelopment Project Area

#2

DOWNTOWN REDEVELOPMENT PROJECT AREA #2
LEGAL DESCRIPTION

THAT PART OF SECTIONS 32 AND 33, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHERLY CORNER OF LOT 83 IN KENDALLWOOD ESTATES; THENCE NORTH ALONG THE EAST LINE OF SAID KENDALLWOOD ESTATES TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE WESTERLY ALONG THE SAID SOUTH LINE TO THE NORTHERLY LINE OF DYDYNA COURT; THENCE WESTERLY ALONG THE SAID NORTHERLY LINE TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE WESTERLY ALONG SAID SOUTH LINE TO THE SOUTHEASTERLY LINE OF BENJAMIN STREET; THENCE NORTHERLY TO THE SOUTHERLY CORNER OF LOT 5 IN SAID KENDALLWOOD ESTATES; THENCE NORTHWESTERLY ALONG THE SOUTHWEST LINE OF SAID LOT 5 TO THE EASTERLY LINE OF LOT 86 IN SAID KENDALLWOOD ESTATES; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 86 TO THE SOUTHERLY CORNER OF LOT 12 IN SAID KENDALLWOOD ESTATES; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT 12 TO THE WEST LINE OF TOMASIK COURT; THENCE NORTHERLY ALONG SAID WEST LINE TO THE SOUTHERLY MOST CORNER OF LOT 17 IN SAID KENDALLWOOD ESTATES; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID LOT 17 TO THE SOUTHEASTERLY LINE OF LOT 27 IN SAID KENDALLWOOD ESTATES; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT 27 TO THE WESTERLY LINE OF SAID BENJAMIN STREET; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID BENJAMIN STREET TO THE NORTH LINE OF LOT 29 IN SAID KENDALLWOOD ESTATES; THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 29 TO THE EASTERLY LINE OF LOT 84 IN SAID KENDALLWOOD ESTATES; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 84 TO THE NORTH LINE OF SAID LOT 84; THENCE WEST ALONG SAID NORTH LINE TO THE EAST LINE OF THE COMMONWEALTH EDISON RIGHT OF WAY; THENCE NORTH ALONG SAID EAST LINE TO THE SOUTH LINE OF EAST VAN EMMON STREET; THENCE WEST ALONG SAID SOUTH LINE TO THE EAST LINE OF VAN EMMON STREET ADDITION TO YORKVILLE; THENCE SOUTH ALONG SAID EAST LINE TO THE SOUTH LINE OF SAID VAN EMMON STREET ADDITION TO YORKVILLE; THENCE WEST ALONG SAID SOUTH LINE TO THE WEST LINE OF SAID VAN EMMON STREET ADDITION TO YORKVILLE; THENCE NORTH ALONG SAID WEST LINE AND SAID WEST LINE EXTENDED NORTH, TO THE NORTH LINE OF VAN EMMON STREET; THENCE WEST ALONG THE NORTH LINE OF SAID VAN EMMON STREET TO THE WEST LINE OF A PARCEL OF LAND CONVEYED BY DEED RECORDED JULY 3, 1990, AS DOCUMENT 904281; THENCE NORTH ALONG THE WEST LINE OF SAID PARCEL TO THE NORTH LINE OF SAID PARCEL; THENCE EAST ALONG THE NORTH LINE OF SAID PARCEL TO THE WEST LINE OF LOT 12 IN SECTION 33, ACCORDING TO THE PLAT THEREOF RECORDED ON PLAT BOOK 3 AT PAGE 96; THENCE NORTHERLY ALONG SAID WEST LINE TO THE NORTH LINE OF THE ILLINOIS RAILNET RIGHT OF WAY; THENCE WESTERLY ALONG SAID NORTH LINE TO THE NORTHERLY EXTENSION

OF THE EAST LINE OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-156-016; THENCE SOUTHERLY ALONG THE NORTHERLY EXTENSION OF SAID EAST LINE AND THE EAST LINES OF SAID PARCEL TO THE SOUTHERLY MOST CORNER OF SAID PARCEL; THENCE WEST ALONG THE SOUTH LINE OF SAID PARCEL TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE NORTH ALONG THE WEST LINE OF SAID PARCEL TO THE SOUTHWEST CORNER OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-156-017; THENCE NORTH ALONG THE WEST LINE OF SAID PARCEL AND SAID WEST LINE EXTENDED TO THE NORTH LINE OF HYDRAULIC AVENUE; THENCE WEST ALONG SAID NORTH LINE TO THE NORTHERLY EXTENSION OF THE WEST LINE OF MILL STREET; THENCE SOUTH ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF MILL STREET AND THE WEST LINE OF MILL STREET TO THE SOUTH LINE OF LOT 4 IN TER-JAC SUBDIVISION; THENCE WEST ALONG SAID SOUTH LINE TO THE NORTHEAST CORNER OF LOT 2 IN SAID TER-JAC SUBDIVISION; THENCE SOUTH ALONG SAID EAST LINE TO THE SOUTH LINE OF SAID LOT 2; THENCE WEST ALONG SAID SOUTH LINE TO THE WEST LINE OF THE EAST 6 FEET OF LOT I IN SAID TER-JAC SUBDIVISION; THENCE SOUTH ALONG SAID WEST LINE TO THE SOUTH LINE OF SAID LOT 1; THENCE WEST ALONG SAID SOUTH LINE TO THE EAST LINE OF HEUSTIS STREET; THENCE NORTH ALONG SAID EAST LINE TO THE NORTH LINE OF EAST VAN EMMON STREET; THENCE WEST ALONG SAID NORTH LINE TO THE WEST LINE OF A PARCEL OF LAND DESCRIBED IN TRUSTEE'S DEED DATED JANUARY 23, 2002 AND RECORDED AS DOCUMENT 200200002291; THENCE NORTH ALONG SAID WEST LINE TO THE NORTH LINE OF SAID PARCEL; THENCE EAST ALONG SAID NORTH LINE TO THE WEST LINE OF HEUSTIS STREET; THENCE NORTH ALONG SAID WEST LINE AND ALONG THE NORTHERLY EXTENSION THEREOF TO THE NORTH LINE OF SAID EAST HYDRAULIC AVENUE; THENCE WEST ALONG SAID NORTH LINE TO THE EAST LINE, EXTENDED NORTH, OF THE 20' ALLEY RUNNING THROUGH BLOCK SIX OF BLACKS ADDITION TO YORKVILLE; THENCE SOUTH ALONG SAID EAST LINE EXTENDED NORTH AND SAID EAST LINE TO THE SOUTH LINE OF EAST VAN EMMON STREET; THENCE EAST ALONG SAID SOUTH LINE TO THE NORTHEAST CORNER OF LOT 2 IN THE OLD SECOND NATIONAL BANK BRIDGE STREET SUBDIVISION; THENCE FOLLOWING A CLOCKWISE DIRECTION AROUND THE PERIMETER OF SAID LOT 2 TO THE EAST LINE OF ROUTE 47; THENCE SOUTH ALONG SAID EAST LINE TO THE SOUTH LINE OF LOT 1 IN SAID SUBDIVISION; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 1 TO A BEND POINT IN SAID SOUTH LINE; THENCE SOUTH ALONG A WEST LINE OF SAID LOT 1 TO THE NORTHWEST CORNER OF BELL STREET; THENCE SOUTH ALONG THE WEST LINE OF BELL STREET AND THE WEST LINE OF BELL STREET EXTENDED SOUTH TO THE SOUTH LINE OF EAST FOX STREET; THENCE WESTERLY, ON SAID SOUTH LINE, TO THE WEST LINE OF ILLINOIS ROUTE 47; THENCE SOUTHERLY, ON SAID WEST LINE, TO THE SOUTH LINE OF PARCEL TWO, DESCRIBED IN DEED RECORDED JULY 25, 2003 AS DOCUMENT NUMBER 200300025623; THENCE WESTERLY ON SAID SOUTH LINE AND ON THE SOUTH LINE OF PARCEL DESCRIBED IN DEED RECORDED FEBRUARY 1, 2010 AS DOCUMENT NUMBER 201000002076 TO THE WEST LINE OF LOT 5 IN BLOCK 11 IN THE ORIGINAL VILLAGE OF YORKVILLE; THENCE NORTHERLY, ON SAID WEST LINE AND ON THE WEST LINE OF LOT 4 IN SAID BLOCK 11 TO THE SOUTH LINE OF LOT 1 IN SAID BLOCK 11; THENCE EASTERLY, ON THE SOUTH LINE OF SAID LOT 1 TO THE WEST LINE OF AFORESAID PARCEL TWO, DESCRIBED IN DEED RECORDED JULY 25, 2003 AS DOCUMENT NUMBER 200300025623; THENCE NORTHERLY, ON SAID WEST LINE, TO THE SOUTH LINE OF WEST FOX STREET; THENCE NORTHERLY TO THE SOUTHWEST CORNER OF THE

EASTERLY 30 FEET OF LOT 7 IN BLOCK 14 IN THE ORIGINAL VILLAGE OF YORKVILLE; THENCE EASTERLY, ON THE SOUTH LINE OF SAID LOT 7, 30 FEET TO THE EAST LINE OF SAID LOT 7; THENCE NORTHERLY ON THE EAST LINE OF SAID LOT 7 AND ON THE EAST LINE OF LOT 6 IN SAID BLOCK 14 TO THE NORTH LINE OF SAID LOT 6; THENCE WESTERLY ON SAID NORTH LINE TO THE EAST LINE OF A PARCEL WITH A PIN OF 02-32-429-002 AND OWNED BY THE COUNTY OF KENDALL; THENCE NORTHERLY, ON THE EAST LINE OF SAID PARCEL TO THE SOUTHEAST CORNER OF VACATED RIDGE STREET; THENCE NORTHERLY ON THE EAST LINE OF SAID VACATED RIDGE STREET TO THE EAST LINE OF VACATED JEFFERSON STREET; THENCE NORTHERLY ON SAID EAST LINE TO THE SOUTH LINE OF A PARCEL DESCRIBED IN WARRANTY DEED RECORDED SEPTEMBER 1, 1995 AS DOCUMENT NUMBER 9506986; THENCE EASTERLY, ON SAID SOUTH LINE, SAID LINE BEING THE CENTERLINE OF VACATED MADISON STREET TO THE EAST LINE OF SAID PARCEL, BEING ALSO THE WEST LINE OF ILLINOIS ROUTE 47; THENCE NORTHERLY, ON THE EAST LINE OF SAID PARCEL TO THE NORTH LINE OF SAID PARCEL, BEING ALSO THE SOUTH LINE OF VAN EMMON STREET; THENCE WESTERLY, ON SAID NORTH LINE, TO THE WEST LINE OF SAID PARCEL; THENCE SOUTHERLY ON SAID WEST LINE TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 6 IN BLOCK 28 IN SAID ORIGINAL VILLAGE OF YORKVILLE; THENCE WESTERLY, ON SAID EASTERLY EXTENSION AND ON THE SOUTH LINE OF LOTS 5 AND 6 IN SAID BLOCK 28, 125 FEET MORE OR LESS TO THE EAST LINE OF LOT 3 IN SAID BLOCK; THENCE NORTHERLY ON SAID EAST LINE AND ON THE EAST LINE OF LOT 4, 100 FEET, MORE OR LESS, TO THE NORTH LINE OF LOT 5 IN SAID BLOCK; THENCE EASTERLY ON THE NORTH LINE OF SAID LOTS 5 AND 6 IN SAID BLOCK 28 TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 6 IN BLOCK 1 IN BLACKS ADDITION; THENCE NORTHERLY ON SAID SOUTHERLY EXTENSION AND ON THE WEST LINE OF LOTS 6, 12, 11 AND 10 IN SAID BLOCK 1 TO THE SOUTH LINE OF THE NORTH HALF OF LOT 10; THENCE EASTERLY ON SAID SOUTH LINE AND ON THE SOUTH LINE OF THE NORTH HALF OF LOT 2 IN SAID BLOCK 1 TO THE WEST LINE OF ROUTE 47; THENCE NORTHERLY ON SAID WEST LINE TO THE NORTH LINE OF WEST HYDRAULIC AVENUE; THENCE WESTERLY, ON SAID NORTH LINE TO THE NORTHERLY EXTENSION OF THE EAST LINE OF MORGAN STREET; THENCE SOUTHERLY ON SAID NORTHERLY EXTENSION TO THE NORTH LINE OF WEST HYDRAULIC AVENUE; THENCE WESTERLY, ON SAID NORTH LINE TO THE NORTHERLY EXTENSION OF THE WEST LINE OF MORGAN STREET; THENCE SOUTHERLY, ON SAID NORTHERLY EXTENSION AND ON THE WEST LINE OF SAID MORGAN STREET TO THE SOUTH LINE OF THE NORTH HALF OF VACATED VAN EMMON STREET. THENCE WESTERLY, ON SAID SOUTH LINE TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 2 IN BLOCK 24 IN BLACKS SECOND ADDITION; THENCE NORTHERLY, ON SAID SOUTHERLY EXTENSION AND ON THE WEST LINE OF SAID LOT 2 TO THE SOUTH LINE OF THE NORTHERLY 143 FEET OF LOTS 3 AND 4 IN SAID BLOCK 24; THENCE WESTERLY, ON SAID SOUTH LINE TO THE WEST LINE OF SAID LOT 4; THENCE NORTHERLY, ON SAID WEST LINE AND ON THE NORTHERLY EXTENSION OF SAID WEST LINE, TO THE NORTH LINE OF WEST HYDRAULIC AVENUE; THENCE WESTERLY, ON SAID NORTH LINE, TO THE EAST LINE OF WHITE OAK FARM UNIT 1; THENCE SOUTHERLY, ON SAID EAST LINE, TO THE SOUTH LINE OF PARCEL TWO, DESCRIBED IN TRUSTEES DEED RECORDED MARCH 5, 2004 AS DOCUMENT 200400005336; THENCE EASTERLY, ON SAID SOUTH LINE TO THE WEST LINE OF PARCEL 3, DESCRIBED IN WARRANTY DEED, RECORDED OCTOBER 11, 2012 AS DOCUMENT NUMBER 201200019862; THENCE NORTHERLY, ON SAID WEST LINE, 100 FEET MORE OR LESS TO THE

WESTERLY EXTENSION OF THE SOUTH LINE OF MADISON STREET; THENCE EASTERLY, ON SAID WESTERLY EXTENSION TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 3 IN BLOCK 23 IN BLACKS SECOND ADDITION; THENCE NORTHERLY, ON SAID SOUTHERLY EXTENSION TO THE NORTH LINE OF THE SOUTH HALF OF VACATED MADISON STREET; THENCE EASTERLY, ON SAID NORTH LINE TO THE NORTHERLY EXTENSION OF THE EAST LINE OF LOT 7 IN BLOCK 21 IN SAID BLACKS SECOND ADDITION; THENCE SOUTHERLY, ON SAID NORTHERLY EXTENSION TO THE SOUTH LINE OF WEST MADISON STREET; THENCE EASTERLY, ON SAID SOUTH LINE TO THE WEST LINE OF SAID SOUTH MAIN STREET; THENCE SOUTHERLY, ON SAID WEST LINE TO THE SOUTH LINE OF WEST WASHINGTON STREET; THENCE EAST ALONG SAID SOUTH LINE AND ALONG THE SOUTH LINE OF EAST WASHINGTON STREET TO THE WEST LINE OF THE EAST 10 FEET OF LOT 10 IN BLOCK 5 OF MASON'S ADDITION TO THE TOWN OF YORKVILLE, EXTENDED SOUTH; THENCE NORTH ALONG SAID WEST LINE EXTENDED AND SAID WEST LINE TO THE SOUTH LINE OF LOT 5 IN SAID BLOCK 5; THENCE EAST ALONG SAID SOUTH LINE AND THE SOUTH LINES OF LOTS 2, 3 AND 4 IN SAID BLOCK 5 TO THE EAST LINE OF SAID LOT 2; THENCE NORTH ALONG SAID EAST LINE AND SAID EAST LINE EXTENDED NORTH TO THE NORTH LINE OF EAST FOX STREET; THENCE EAST ALONG SAID NORTH LINE TO THE EAST LINE OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-301-011; THENCE NORTH ALONG SAID EAST LINE AND THE EAST LINE OF THE FOLLOWING 2 P.I.N.'S 02-33-301-008 AND 02-33-301-013 TO THE SOUTHEAST CORNER OF LOT 1 IN THE OLD SECOND NATIONAL BANK BRIDGE STREET SUBDIVISION; THENCE NORTH ALONG THE EAST LINE OF SAID LOT 1 TO THE SOUTH LINE OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-301-004; THENCE EAST ALONG SAID SOUTH LINE AND SAID SOUTH LINE EXTENDED EAST, TO THE EAST LINE OF HEUSTIS STREET; THENCE NORTH ALONG SAID EAST LINE TO THE SOUTH LINE OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-304-005; THENCE EAST ALONG SAID SOUTH LINE TO THE WEST LINE OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-304-014; THENCE NORTH ALONG SAID WEST LINE TO THE NORTH LINE OF SAID PARCEL; THENCE EAST ALONG SAID NORTH LINE TO THE WEST LINE OF MILL STREET; THENCE EASTERLY TO THE SOUTHEAST CORNER OF MILL STREET AND EAST RIDGE STREET; THENCE NORTH ALONG THE EAST LINE OF MILL STREET TO THE NORTH LINE OF PRICE'S FIRST ADDITION TO YORKVILLE; THENCE EAST ALONG SAID NORTH LINE TO THE EAST LINE OF SAID PRICE'S FIRST ADDITION; THENCE SOUTH ALONG SAID EAST LINE TO AN OLD CLAIM LINE DESCRIBED IN QUIT CLAIM DEED RECORDED JULY 6, 1988 AS DOCUMENT 883256; THENCE SOUTHEASTERLY ALONG SAID OLD CLAIM LINE TO THE WEST LINE OF THE COMMONWEALTH EDISON RIGHT OF WAY; THENCE SOUTH ALONG SAID RIGHT OF WAY TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE EAST ALONG SAID SOUTH LINE TO THE WEST LINE OF KENDALLWOOD ESTATES; THENCE SOUTH ALONG SAID WEST LINE TO THE SOUTHWESTERLY LINE OF SAID KENDALLWOOD ESTATES; THENCE SOUTHEASTERLY, ALONG SAID SOUTHWESTERLY LINE TO THE POINT OF BEGINNING IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

Exhibit B

**United City of Yorkville, Kendall County, Illinois Downtown Redevelopment Project Area
#2
Boundary Map**

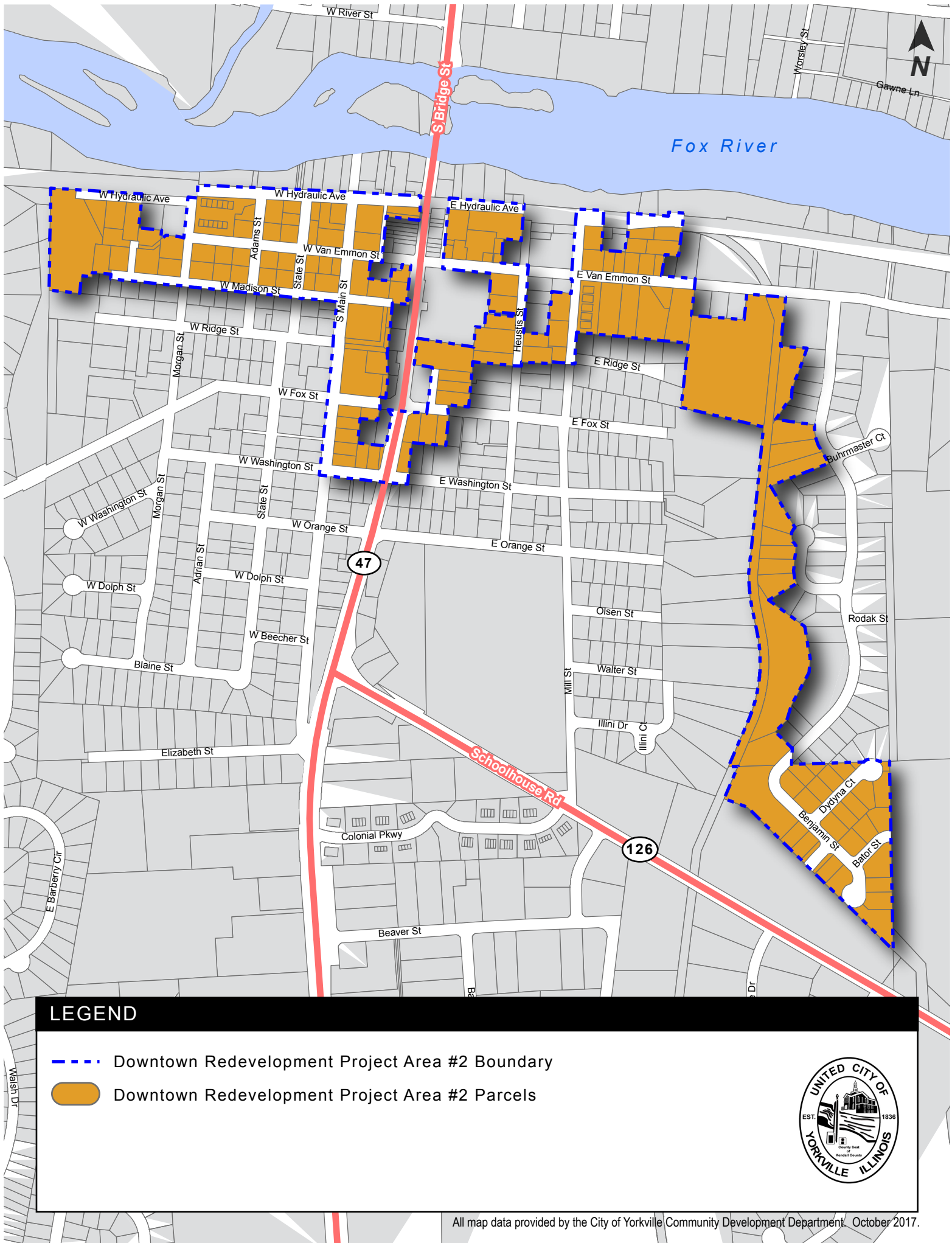


Exhibit C

**United City of Yorkville, Kendall County, Illinois Downtown Redevelopment Project Area
#2
Redevelopment Plan**

[illegible]

Kathleen Field Orr
Kathleen Field Orr & Associates
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Chicago, Illinois 60604
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I. TAX INCREMENT FINANCING

In February 1977, the Illinois General Assembly passed the initial version of what is now the present Tax Increment Allocation Redevelopment Act (the "Act") (65 ILCS 5/11-74.4-1 et seq.). This 1977 legislation was the initial authorization for the use of tax increment financing ("TIF") in Illinois. The Act provides a means for municipalities, after the approval of a Redevelopment Plan, designation of a Redevelopment Project Area and adoption of tax increment allocation financing, to redevelop blighted, conservation, or industrial park conservation redevelopment project areas and to finance "redevelopment project costs" ("Redevelopment Project Costs") with "incremental property tax revenues" ("Incremental Property Taxes"). Incremental Property Taxes are derived from the increase in the equalized assessed valuation ("EAV") of taxable real property within the Redevelopment Project Area over and above the equalized assessed value of such property from the time tax increment allocation financing is adopted ("Initial EAV"). Any year-to-year increase in EAV over the Initial EAV of such property is then multiplied by the current tax rate, which results in Incremental Property Taxes.

The Act defines a number of eligible items that qualify as Redevelopment Project Costs. Incremental Property Taxes may pay for eligible Redevelopment Project Costs or may be pledged, notes or other obligations issued for that purpose. In addition, a municipality may pledge, as payment, additional revenues including revenues from the Redevelopment Project, municipal property taxes or other revenue sources, and may issue bonds backed by the general obligation of the municipality or payable solely from Incremental Property Taxes and other sources.

As stated above, as a result of the adoption of TIF, Incremental Property Taxes are captured as new tax revenues generated by the increase of the EAV over the Initial EAV. This increased EAV of properties can result from a municipality's redevelopment program, improvements, various developments and redevelopment activities, and the reassessment of properties. Under the Act, all taxing districts continue to receive property taxes levied by application of their tax rates on the Initial EAV of properties within the Redevelopment Project Area. Taxing districts benefit from the increased property tax base after Redevelopment Project Costs and obligations have been paid and the designation of the redevelopment project is terminated. If the taxing districts have building and structures in the Redevelopment Project Area, those facilities are eligible for repair, remodeling and rehabilitation to the extent funds are available.

Any capitalized term not otherwise defined herein shall have the same meaning ascribed to such term by the Act.

II. THE UNITED CITY OF YORKVILLE

The United City of Yorkville (the “City”) is located approximately 50 miles southwest of Chicago within Kendall County’s Fox River Valley as the Fox River runs directly through the City. The City is generally bounded by the Villages of Montgomery and Sugar Grove to the north; the Village of Oswego the east; the City of Plano to the west; and, the City of Morris to the south.

The town of Yorkville was originally settled in 1832 as an agricultural business center with a downtown district south of the Fox River on Bridge Street. Although the City started as a small town, growth has been a hallmark of the community since its inception as illustrated by Yorkville’s designation as the County Seat in 1859; the establishment of the Chicago Burlington and Quincy railroad route through Yorkville in 1870; and, Yorkville’s incorporation in 1887. Yorkville grew even further when in 1957, based on shared circumstances, the then town of Yorkville and its neighbor to the north of the Fox River, the town of Bristol, combined to form what we know today as the “United City of Yorkville”.

Between 1960 and the census of 2000, the City’s population grew to 6,189. In the following 10 years, the population grew by over 10,000 people to 16,921 per the 2010 census. Due to the swelling population, the City is currently in the process of conducting a special census as it estimates its current population at 18,500 people. The City continues to annex hundreds of acres; develop residential subdivisions, commercial corridors and an industrial park; and, has begun to attract tourists with the recreational amenities provided by the Fox River and the opening of the Marge Cline Whitewater Course at the Glen D. Palmer Dam located at the City’s Bicentennial Riverfront Park.

Despite the aforementioned population increase and the substantial residential and commercial development in recent years, little has been done to the area comprising the City’s “downtown district” to keep up with the changing times.

Many of the buildings therein suffer from deterioration as a result of aging such as defects in doors, windows, porches, gutters, downspouts and fascia. As the oldest part of the City, the area is also serviced by outdated utilities that are insufficient to keep up with the growing population. In addition, because of its age, the area was developed at a time when a comprehensive plan did not exist for the City, resulting in a poor street design that impedes the overall flow and plan of the City. Finally, and most distressing, is the rampant decline in the assessed values of properties within the area.

As regional growth of the Chicago metropolitan area proceeds southwestward, the City has focused its planning efforts on guiding development to assure a compatible balance of land uses reflective of the City’s small town heritage but also responsive to its continuing population growth and contemporary development opportunities. Implementation of the Act shall permit the City to provide incentives to attract developers, who have been unwilling to undertake development to date because of the factors detailed above, which development would eradicate those same detrimental factors and bring the City’s downtown district in line with the Comprehensive Plan which the City adopted in 2016.

III. REDEVELOPMENT PROJECT AREA

The proposed “United City of Yorkville, Kendall County, Illinois Downtown Redevelopment Project Area #2”, as legally described on Exhibit A hereto and depicted by the map attached hereto as Exhibit B (the “Redevelopment Project Area”), encompasses some of the oldest structures in the United City of Yorkville dating from the late 1800’s and early 1900’s including the Kendall County Courthouse originally built in 1864. This Downtown district is a mixed-use area with a range of commercial and retail uses, restaurants, residential uses, public and civic uses with a few industrial uses remaining from the dependence on the Fox River and freight rail line in the past. In the early 1970’s however, commercial development occurred at the intersecting corridors of US Route 34 and IL Route 47 which included a strip retail center, big box uses and businesses. This new auto-oriented commercial area significantly imported the Downtown district and new private investment in the Downtown diminished. The current land uses within the Project Area are detailed on the map attached hereto as Exhibit C.

In 2000, the City began to address the changing opportunities for redevelopment of the Downtown and in 2005, adopted the “United City of Yorkville Downtown Vision Plan” which set forth recommendations for development and redevelopment in this area. As a part of its strategy, in 2006, the City designated the area as a “redevelopment project area” under the Act in order to revitalize the Downtown and stimulate new development, redevelopment and rehabilitation in the Downtown.

The best efforts on the part of the City’s capable staff were thwarted by the country’s economic decline occurring shortly after the adoption of the TIF Act. The opportunities for growth and redevelopment were seriously limited for some period of time. Since the date of the adoption of the Act in 2006, as applicable to the Downtown, the equalized assessed value of all properties included in this redevelopment project area increased from \$5,745,902 to \$5,865,094 a total increase of approximately two percent (2%) in ten (10) years.

The City has come to the realization that it must give more attention to the Downtown in order to retain its colorful history while providing the infrastructure and amenities needed. The construction of the Marge Cline Whitewater Course at Bicentennial Riverfront Park in 2010 was expected to create new interest in the Downtown district, however, minimal redevelopment has occurred. This Redevelopment Plan provides an updated coordinated plan for sixty (60) parcels of property included in the 2006 Downtown Redevelopment Project Area, and the addition of adjacent parcels in order to address the recommendations provided by the City’s 2016 Comprehensive Plan and the improvements of the river front.

The Project Area is positioned around the Route 47 and Van Emmon Street intersection and its general boundary contains a majority of the parcels both north and south of Van Emmon Street from 5 blocks West of Route 47 to 3 blocks east of Route 47, as well as parcels on the east side of Main Street from Madison Street to Washington Street, parcels on the west side of Mill St from Van Emmon Street to Ridge Street, parcels on the east side of Heustis Street from Van Emmon Street to Fox Street, and parcels on the east side of Route 47 from Washington Street to Van Emmon Street.

IV. REDEVELOPMENT PLAN TO ADDRESS EXISTING CONDITIONS

- A. Upon the designation of the Redevelopment Project Area as a “redevelopment project area” under the Act, the City intends to use tax increment financing to pay Redevelopment Project Costs and to stimulate private investment for development and redevelopment thereby eliminating those conditions, the existence of which qualified both the improved area and vacant area of the proposed Redevelopment Project Area. Under the Act, the purpose for preparation of a Redevelopment Plan is to set forth a guide to be undertaken for activities with a goal toward stimulating comprehensive and coordinated redevelopment in order to induce private investment.

As required by the Act, each Redevelopment Plan must include the program to be undertaken by the municipality in order to complete its objectives and must set forth the following:

1. an itemized list of estimated redevelopment project costs;
 2. evidence indicating that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise;
 3. an assessment of any financial impact of the redevelopment project area on or any increased demand for services from any taxing district affected by the plan and a program to address such financial impact or increased demand;
 4. the sources of funds to pay development or redevelopment costs;
 5. the nature and term of the obligations to be issued, if any;
 6. the most recent equalized assessed valuation of the proposed Redevelopment Project Area;
 7. an estimate as to the equalized assessed valuation after redevelopment and the general land uses to apply in the proposed Redevelopment Project Area;
 8. a commitment to fair employment practices and an affirmative action plan;
 9. if it concerns an industrial park conservation area, the plan shall also include a general description of any proposed developer, user and tenant of any property; a description of the type, structure and general character of the facilities to be developed, a description of the type, class and number of new employees to be employed in the operation of the facilities to be developed; and,
 10. if property is to be annexed to the municipality, the plan shall include the terms of the annexation agreement.
- B. The Act prohibits the adoption of a Redevelopment Plan unless the municipality complies with the following:
1. The municipality finds that the proposed redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the redevelopment plan.

2. The municipality finds that the redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the redevelopment plan and project was adopted, the redevelopment plan and project either: (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority of the municipality, or (ii) includes land uses that have been approved by the planning commission of the municipality.
3. The redevelopment plan establishes the estimated dates of completion of the redevelopment project and retirement of obligations issued which may be issued to finance redevelopment project costs. Those dates may not be later than the dates set forth under Section 11-74.4-3(n)(j)(3); i.e., not later than December 31 of the year in which the payment to the municipal treasurer of Incremental Property Taxes is to be made with respect to real estate taxes levied in the twenty-third year after the year in which the ordinance approving the Redevelopment Project Area is adopted.

V. REDEVELOPMENT PROJECT AREA GOALS AND OBJECTIVES

A. Redevelopment Project Area Goals

In order to benefit from the Act and achieve new private investment within the proposed Redevelopment Project Area, the City must establish a framework for guiding decisions to be made as a part of the implementation of this Redevelopment Plan. These include:

1. Preservation of the history of the City through retention of historic structures.
2. Creation of an environment within the Redevelopment Project Area that will contribute more positively to the health, safety and general welfare of the City and preserve or enhance the value of properties in and adjacent to the Redevelopment Project Area.
3. An increase in the sales tax base of the City and the property tax base of overlapping taxing districts.
4. Addition of new amenities, businesses and services to the City thereby creating new jobs and retaining existing jobs for City and area residents.
5. Strengthening the economy and future economic viability of the Downtown and the larger community.
6. Stabilizing a revitalized downtown business district.
7. Rehabilitation and renovation of structures within the Redevelopment Project Area to address the current market place requirements.
8. Sound economic development within the Redevelopment Project Area that is consistent with the 2016 Comprehensive Plan for the development of the Downtown and the City as a whole.

B. Redevelopment Objectives

The designation of the Redevelopment Project Area as a “redevelopment project area” under the Act shall grant the City the power to:

1. Reduce or eliminate those conditions that qualified the Redevelopment Project Area as a “conservation area”. Reduce or eliminate those blighting conditions in the improved “conservation area” which qualified said area as a Redevelopment Project Area. Such conditions include deterioration, inadequate utilities, lack of community planning and a declining equalized assessed value as defined by the Act, as more fully described in the Eligibility Study in order to encourage the redevelopment of the Redevelopment Project Area.
2. Encourage preservation of the historic appearance of buildings, rights-of-way, and open spaces and encourage the development and improved standards of design.
3. Strengthen the economic vitality of the Redevelopment Project Area by increasing business activity, improving the tax base, and providing job opportunities.
4. Stimulate through incentives, if necessary, new private investment in improvements and redevelopment within the Redevelopment Project Area.
5. Provide needed public improvements to the infrastructure or facilities in proper relationship to the projected demand for such facilities and in accordance with present-day standards

for such facilities. Infrastructure improvements should address the problems cited in the Eligibility Study in order to encourage redevelopment of the Redevelopment Project Area.

6. Provide needed financial assistance, if necessary, to induce a broad range of improvements.
7. Provide the renovation and rehabilitation of structures where economic obsolescence is a material impediment to the redevelopment of the Redevelopment Project Area.
8. Address the deteriorating street pavement, sidewalks, parking areas, driveways and curbs.
9. Improve the visual attractiveness of the City through landscaping and coordination of design in the Redevelopment Project Area.
10. Improve opportunities for commercial, office and mixed-use development and redevelopment.

C. Redevelopment Implementation Strategy

The implementation and conclusion of a well-devised redevelopment strategy is a key element in the success of this Redevelopment Plan. In order to maximize program efficiency and to take advantage of redevelopment interest in the Redevelopment Project Area, and with full consideration of available funds, the City intends to proceed in an expeditious manner.

A combination of public and private investments is an essential element of this Redevelopment Plan. In order to achieve the foregoing investments and improvements, the City may enter into agreements, including agreements with private developers, proposing that assistance may be provided pursuant to the Act, where deemed appropriate, to facilitate private projects and development. The City may also contract with other entities, including governmental units, to accomplish certain public and private projects as contained in this Redevelopment Plan.

VI. LACK OF DEVELOPMENT, GROWTH AND FISCAL IMPACT ON TAXING DISTRICTS

A. Evidence of the lack of development and growth within the Redevelopment Project Area

As documented in the Eligibility Study, attached hereto and incorporated herein as Exhibit D, the Redevelopment Project Area has suffered from a lack of growth and development through investment by private enterprise and qualifies as a “conservation area”. Absent financial assistance from the City, development or redevelopment in the Redevelopment Project Area is not reasonably anticipated to occur.

The Redevelopment Project Area’s blighting conditions, as documented in the Eligibility Study, are reasonably present to a meaningful extent, are reasonably distributed throughout the Redevelopment Project Area, and will continue to worsen if not addressed by the City. In addition, these conditions discourage private sector investment whether in development of residential opportunities or commercial enterprises or in the redevelopment of existing facilities. Accordingly, the City finds that actions taken, at least in part, through the implementation of this Redevelopment Plan will significantly mitigate such problems.

B. Assessment of Fiscal Impact on Affected Taxing Districts

It is not anticipated that redevelopment projects implemented as part of this Redevelopment Plan will have a negative financial impact on or cause increased demand for services or capital improvements from any taxing district affected by the Redevelopment Plan. No current property taxes will be diverted from any taxing district. Instead, taxing districts could benefit from distributions of any surplus tax increment. Capital funds will also be available to assist in the development of public improvements. The Redevelopment Project Costs set forth in Section VIII of this Redevelopment Plan provide for significant amounts to pay taxing district capital costs in accordance with the Act should impacts be greater than expected.

The following is an assessment of the impact on each individual taxing district:

Kendall County

There is expected to be no impact and no expected increase in demand for services or negative financial impact.

Waubensee Community College District #516

There is expected to be no impact and no expected increase in demand for services. Funds are also available for job training.

United City of Yorkville

There is expected to be minimal impact and minimal expected increase in demand for services. Funds are available for capital projects undertaken by the City within the Redevelopment Project Area.

Yorkville Unit School District 115

Residential development may be a component of the implementation of the Redevelopment Plan for the Redevelopment Project Area. In the event the net amount of students from development undertaken in the Redevelopment Project Area increases as a result of the TIF assistance to the development of housing units, funds have been allocated in the budget for estimated Redevelopment Project Costs hereinafter set forth for reimbursement pursuant to the Act. In addition, funds are available for capital costs which may be incurred by the district as a result of activities in the Redevelopment Project Area.

Kendall Township

There is expected to be no impact and no expected increase in demand for services or negative financial impact.

Bristol Township

There is expected to be no impact and no expected increase in demand for services or negative financial impact.

VII. REDEVELOPMENT ACTIVITIES

Pursuant to the goals and objectives as stated in Article V, the City will implement a coordinated program of action. The City may use any program element authorized by the Act including, but not limited to, those listed below. The City proposes to achieve the redevelopment goals and objectives of this Redevelopment Plan for the Redevelopment Project Area through the use of “incremental property taxes” available to it pursuant to the Act and through public financing techniques including, but not limited to, tax increment financing and by utilizing such other financing techniques deemed necessary to undertake some or all of the following activities and improvements:

1. Analysis, Administration, Studies, Surveys, Legal, etc.

The City may undertake or engage professional consultants, engineers, architects, attorneys, etc. to conduct various analyses, design façade improvements, study alternative potential uses, survey current needs for the City, provide legal services to establish, implement and administer the Redevelopment Plan.

2. Property Assembly

The City, or an agent for the City, may acquire and assemble land for the purpose of development or redevelopment. Underutilized or misused property may be acquired by purchase, exchange, or long-term lease by private developers or the City for the purpose of new development or redevelopment.

3. Land Preparation

The City may assist in the preparation of land to include demolition, environmental remediation, and flood mitigation.

4. Rehabilitation and Lease Hold Improvements

The City may assist in rehabilitation, remodel, repair, and lease hold improvements.

5. Land Acquisition

The City may purchase land within the proposed Redevelopment Project Area.

6. Development or Redevelopment Agreements

The City may enter into development and redevelopment agreements with private or public entities in the furtherance of this Redevelopment Plan. Such agreements may be for the assemblage of land, construction of improvements or facilities, improvement of access, the provision of services, reimbursement of eligible redevelopment project costs under the Act or any other lawful purpose. Agreements may contain terms and provisions that are more specific than the controls that are summarized in this Redevelopment Plan.

In the case where a private individual or entity received benefits under the Act for the purpose of originating, locating, maintaining, rehabbing, or expanding a business facility and abandons or relocates its facility in violation of a redevelopment agreement, the City reserves the right to collect reimbursement for funds extended in accordance with the Act.

7. Provision of Public Works or Improvements

The City may provide public works and improvements that are necessary to service the Redevelopment Project Area in accordance with the Redevelopment Plan. Public works and improvements may include, but are not limited to, the following:

Streets, Sidewalks, Lighting, Utilities, and Parking

Public infrastructure improvements may be necessary to adequately serve the Redevelopment Project Area and potential new development. Improved access will be necessary to develop portions of the Redevelopment Project Area. Certain infrastructure improvements, in connection with and adjacent to the Redevelopment Project Area, may be necessary to advance the goals and objectives of this Redevelopment Plan. It is expected that streets, sidewalks, utilities (including any electrical or data upgrades needed to accommodate current technology), and parking improvements will be part of any redevelopment activity.

Landscaping

Landscape/buffer improvements, street lighting and general beautification improvements may be provided.

Sanitary Sewer System

Improvements and rehabilitation of sanitary sewer mains to eliminate sewer backup including the relining of existing sewer mains and replacement of manholes. In addition, improvements to the City's wastewater treatment system must be made, including the construction of a new waste water treatment plant.

Stormwater Management

Analysis of the existing stormwater management structure and improvements as may needed to be created to reduce stormwater runoff.

Coordinate Design for Improvement within the Redevelopment Project Area

Where possible, design elements should be planned in such a way as to make the Redevelopment Project Area aesthetically pleasing. Consistent and coordinated design patterns should be promoted.

Job Training

The City may assist facilities and enterprises located within the Redevelopment Project Area in obtaining job training assistance. Job training and retraining programs currently available from or through other governments include, but are not limited to:

- Federal programs;
- State of Illinois programs;
- Applicable local vocational educational programs, including community college sponsored programs; and,
- Other federal, state, county, or non-profit programs that are currently available or will be developed and initiated over time.

Interest Subsidy

Funds may be provided to reimburse redevelopers for a portion of interest costs related to the construction of qualifying redevelopment facilities and improvements.

Assist in Financing Redevelopment Project Area Contiguous TIFs

Funds derived from either this Redevelopment Project Area or others that may be contiguous are eligible to be used for the support of the other redevelopment programs under this Redevelopment Plan.

The Project Area's proposed land uses will be as detailed on the map attached hereto as Exhibit E.

VIII. ESTIMATED REDEVELOPMENT PROJECT COSTS

The Act defines Redevelopment Project Costs as the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to the Redevelopment Plan and its implementation through development and redevelopment projects. All costs to be paid or reimbursed in the Redevelopment Project Area will conform to this definition.

A wide range of redevelopment activities and improvements will be required to implement the Redevelopment Plan. The activities and improvements and their estimated costs (2017 dollars) are summarized below. To the extent that obligations are issued to pay for such Redevelopment Project Costs prior to, and in anticipation of, the adoption of TIF and designation of the Redevelopment Project Area, the City may directly pay or be reimbursed from Incremental Property Taxes for such Redevelopment Project Costs to their fullest extent. These costs are in addition to total Redevelopment Project Costs.

The total Redevelopment Project Costs set forth below are an upper estimate of expenditures and do not commit the City to undertake any particular Redevelopment Project Costs.

While all of the costs in the budget below are eligible Redevelopment Project Costs under the Act and this Redevelopment Plan, inclusion herein does not commit the City to finance all of these costs with TIF funds.

A. Total Redevelopment Project Budget

DESCRIPTION	COST
Costs of studies, surveys, development of plans and specifications, implementation and administration (annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a Redevelopment Project Area or approved a Redevelopment Plan) of the Redevelopment Plan including, but not limited to, staff and professional service costs for architectural, engineering, legal, financial, planning or other services, as provided for by 65 ILCS 5/11-74.4-3(q)(1-1.5).	\$200,000
Costs of marketing sites within the Redevelopment Project Area to prospective businesses, developers, and investors, as provided for by 65 ILCS 5/11-74.4-3(q)(1.6).	\$50,000
Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests herein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination, including, but not limited to, parking lots and other concrete or asphalt barriers, and the clearing and grading of land, as provided for by 65 ILCS 5/11-74.4-3(q)(2).	\$4,000,000
Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project, the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment; including any direct or indirect costs relating to Green Globes or LEED certified construction elements or construction elements with an equivalent certification, as provided for by 65 ILCS 5/11-74.4-3(q)(3).	\$2,000,000

Costs of the construction of public works or improvements, including any direct or indirect costs relating to Green Globes or LEED certified construction elements or construction elements with an equivalent certification, as provided for by 65 ILCS 5/11-74.4-3(q)(4).	\$3,000,000
Costs of job training and retraining projects, including the cost of “welfare to work” programs implemented by businesses located within the Redevelopment Project Area, as provided for by 65 ILCS 5/11-74.4-3(q)(5).	\$ 150,000
Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations including interest accruing during the estimated period of construction of the Redevelopment Project for which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto, as provided for by 65 ILCS 5/11-74.4-3(q)(6).	\$2,000,000
To the extent the City, by written agreement, accepts and approves the same, all or a portion of a taxing district’s capital costs resulting from the Redevelopment Project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the Redevelopment Plan (impacts such as those on the City may be addressed through these funds), as provided for by 65 ILCS 5/11-74.4-3(q)(7).	\$ 300,000
Relocation costs to the extent that a municipality determines that relocation costs shall be paid or the municipality is required to make payment of relocation costs by federal or State law or in order to satisfy subparagraph (7) of subsection (n) of Section 11-74.4-3 of the Act, as provided for by 65 ILCS 5/11-74.4-3(q)(8).	\$ 100,000
Payment in lieu of taxes, as provided by 65 ILCS 5/11-74.4-3(q)(9).	\$ 500,000
Cost of job training, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a Redevelopment Project Area; and (ii) when incurred by a taxing district or taxing districts other than the municipality, are set forth in a written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program to be undertaken, including, but not limited to, the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the term of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public Community College Act and by school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of the School Code, as provided for by 65 ILCS 5/11-74.4-3(q)(10).	\$150,000

Interest cost incurred by a redeveloper related to the construction, renovation or rehabilitation of a redevelopment project, as provided for by 65 ILCS 5/11-74.4-3(q)(11).	\$500,000
Contributions of incremental revenues transferred to contiguous redevelopment project areas, as provided for by 65 ILCS 5/11-74.4-4(q).	\$1,000,000
Total Estimated Costs	\$13,950,000

Notes regarding Redevelopment Project Costs:

1. All costs are in 2017 dollars and may be increased annually after adjusting for annual inflation reflected in the Consumer Price Index (CPI) for all Urban Consumers in U.S. Cities, published by the U.S. Department of Labor, as allowed by the Act.
2. Private redevelopment costs and investment are in addition to the above.
3. To the extent permitted by law, the City reserves the right to adjust and transfer budgeted amounts within the Total Estimated Costs within the Total Redevelopment Project Budget among the categories of eligible Redevelopment Project Costs set forth therein, provided any such adjustment or transfer shall not increase the Total Redevelopment Project Budget, other than as otherwise provided in a. above.
4. Certain infrastructure work in connection with and appurtenant to the Redevelopment Project Area can be undertaken under the Act.

IX. MOST RECENT EQUALIZED ASSESSED VALUATION FOR THE REDEVELOPMENT PROJECT AREA

The most recent equalized assessed valuation for the Redevelopment Project Area is based on 2016 and is \$4,487,777.00.

X. ANTICIPATED EQUALIZED ASSESSED VALUATION FOR THE REDEVELOPMENT PROJECT AREA

Upon completion of the redevelopment of the Redevelopment Project Area over a twenty-three (23) year period, it is estimated that the EAV of the property within the Redevelopment Project Area would increase to between approximately \$15,000,000 to \$18,000,000 depending upon market conditions and the scope of the redevelopment projects.

XI. COMMITMENT TO FAIR EMPLOYMENT PRACTICES AND AN AFFIRMATIVE ACTION PLAN

The City is committed to and will affirmatively implement the assurance of equal opportunity in all personnel and employment actions with respect to this Redevelopment Plan. This includes, but is not limited to: hiring, training, transfer, promotion, discipline, fringe benefits, salary, employment working conditions, termination, etc. without regard to any non-merit factor, including race, national origin, color, religion, sex, sexual orientation, gender identity, disability (physical or mental), age, marital status, status as a parent, or genetic information.

In order to implement this principle for this Redevelopment Plan, the City shall require and promote equal employment practices and affirmative action on the part of itself and its contractors and vendors. In particular, parties engaged by the City shall be required to agree to the principles set forth in this section.

XII. COMPLETION OF REDEVELOPMENT PROJECT AND RETIREMENT OF OBLIGATIONS ISSUED TO FINANCE REDEVELOPMENT PROJECT COSTS

The Redevelopment Project is to be completed and all obligations issued to finance Redevelopment Project Costs are to be retired upon receipt of the incremental property taxes generated from the twenty-third (23rd) year after the adoption of an ordinance designating the Redevelopment Project Area. The actual date for such completion and retirement of obligations shall not be later than December 31 of the year in which the payment to the City treasurer pursuant to the Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the Redevelopment Project Area was adopted.

XIII. PROVISIONS FOR AMENDING THE REDEVELOPMENT PLAN AND PROJECT

This Redevelopment Plan may be amended pursuant to the provisions of the Act.

EXHIBITS

Exhibit A	Legal Description of the Redevelopment Project Area
Exhibit B	Map of Redevelopment Project Area
Exhibit C	Redevelopment Project Area Current Land Use Map
Exhibit D	Redevelopment Project Area Future Land Use Map
Exhibit E	Eligibility Report of Downtown TIF #2 United City of Yorkville, Illinois
Exhibit F	Housing Study of Downtown TIF #2 United City of Yorkville, Illinois

EXHIBIT A: LEGAL DESCRIPTION

THAT PART OF SECTIONS 32 AND 33, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHERLY CORNER OF LOT 83 IN KENDALLWOOD ESTATES; THENCE NORTH ALONG THE EAST LINE OF SAID KENDALLWOOD ESTATES TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE WESTERLY ALONG THE SAID SOUTH LINE TO THE NORTHERLY LINE OF DYDYNA COURT; THENCE WESTERLY ALONG THE SAID NORTHERLY LINE TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE WESTERLY ALONG SAID SOUTH LINE TO THE SOUTHEASTERLY LINE OF BENJAMIN STREET; THENCE NORTHERLY TO THE SOUTHERLY CORNER OF LOT 5 IN SAID KENDALLWOOD ESTATES; THENCE NORTHWESTERLY ALONG THE SOUTHWEST LINE OF SAID LOT 5 TO THE EASTERLY LINE OF LOT 86 IN SAID KENDALLWOOD ESTATES; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 86 TO THE SOUTHERLY CORNER OF LOT 12 IN SAID KENDALLWOOD ESTATES; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT 12 TO THE WEST LINE OF TOMASIK COURT; THENCE NORTHERLY ALONG SAID WEST LINE TO THE SOUTHERLY MOST CORNER OF LOT 17 IN SAID KENDALLWOOD ESTATES; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID LOT 17 TO THE SOUTHEASTERLY LINE OF LOT 27 IN SAID KENDALLWOOD ESTATES; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT 27 TO THE WESTERLY LINE OF SAID BENJAMIN STREET; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID BENJAMIN STREET TO THE NORTH LINE OF LOT 29 IN SAID KENDALLWOOD ESTATES; THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 29 TO THE EASTERLY LINE OF LOT 84 IN SAID KENDALLWOOD ESTATES; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 84 TO THE NORTH LINE OF SAID LOT 84; THENCE WEST ALONG SAID NORTH LINE TO THE EAST LINE OF THE COMMONWEALTH EDISON RIGHT OF WAY; THENCE NORTH ALONG SAID EAST LINE TO THE SOUTH LINE OF EAST VAN EMMON STREET; THENCE WEST ALONG SAID SOUTH LINE TO THE EAST LINE OF VAN EMMON STREET ADDITION TO YORKVILLE; THENCE SOUTH ALONG SAID EAST LINE TO THE SOUTH LINE OF SAID VAN EMMON STREET ADDITION TO YORKVILLE; THENCE WEST ALONG SAID SOUTH LINE TO THE WEST LINE OF SAID VAN EMMON STREET ADDITION TO YORKVILLE; THENCE NORTH ALONG SAID WEST LINE AND SAID WEST LINE EXTENDED NORTH, TO THE NORTH LINE OF VAN EMMON STREET; THENCE WEST ALONG THE NORTH LINE OF SAID VAN EMMON STREET TO THE WEST LINE OF A PARCEL OF LAND CONVEYED BY DEED RECORDED JULY 3, 1990, AS DOCUMENT 904281; THENCE NORTH ALONG THE WEST LINE OF SAID PARCEL TO THE NORTH LINE OF SAID PARCEL; THENCE EAST ALONG THE NORTH LINE OF SAID PARCEL TO THE WEST LINE OF LOT 12 IN SECTION 33, ACCORDING TO THE PLAT THEREOF RECORDED ON PLAT BOOK 3 AT PAGE 96; THENCE NORTHERLY ALONG SAID WEST LINE TO THE NORTH LINE OF THE ILLINOIS RAILNET RIGHT OF WAY; THENCE WESTERLY ALONG SAID NORTH LINE TO THE NORTHERLY EXTENSION OF THE EAST LINE OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-156-016; THENCE SOUTHERLY ALONG THE NORTHERLY EXTENSION OF SAID EAST LINE AND THE EAST LINES OF SAID PARCEL TO THE SOUTHERLY MOST CORNER OF SAID PARCEL; THENCE WEST ALONG THE SOUTH LINE OF SAID PARCEL TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE NORTH ALONG THE WEST LINE OF SAID PARCEL TO THE SOUTHWEST CORNER OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-156-017; THENCE NORTH ALONG THE WEST LINE OF SAID PARCEL AND SAID WEST LINE EXTENDED TO THE NORTH LINE OF HYDRAULIC AVENUE; THENCE WEST ALONG SAID NORTH LINE TO THE NORTHERLY EXTENSION OF THE WEST LINE OF MILL STREET; THENCE SOUTH ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF MILL STREET AND THE WEST LINE OF MILL STREET TO THE SOUTH LINE OF LOT 4 IN TER-JAC SUBDIVISION; THENCE WEST ALONG SAID SOUTH LINE TO THE NORTHEAST CORNER OF LOT 2 IN SAID TER-JAC SUBDIVISION; THENCE SOUTH ALONG SAID EAST LINE TO THE SOUTH LINE OF SAID LOT 2; THENCE WEST ALONG SAID SOUTH LINE TO THE WEST LINE OF THE EAST 6 FEET OF LOT 1 IN SAID TER-JAC SUBDIVISION; THENCE SOUTH ALONG SAID WEST LINE TO THE SOUTH LINE OF SAID LOT 1; THENCE WEST ALONG SAID SOUTH LINE TO THE EAST LINE OF HEUSTIS STREET; THENCE NORTH ALONG SAID

EAST LINE TO THE NORTH LINE OF EAST VAN EMMON STREET; THENCE WEST ALONG SAID NORTH LINE TO THE WEST LINE OF A PARCEL OF LAND DESCRIBED IN TRUSTEE'S DEED DATED JANUARY 23, 2002 AND RECORDED AS DOCUMENT 200200002291; THENCE NORTH ALONG SAID WEST LINE TO THE NORTH LINE OF SAID PARCEL; THENCE EAST ALONG SAID NORTH LINE TO THE WEST LINE OF HEUSTIS STREET; THENCE NORTH ALONG SAID WEST LINE AND ALONG THE NORTHERLY EXTENSION THEREOF TO THE NORTH LINE OF SAID EAST HYDRAULIC AVENUE; THENCE WEST ALONG SAID NORTH LINE TO THE EAST LINE, EXTENDED NORTH, OF THE 20' ALLEY RUNNING THROUGH BLOCK SIX OF BLACKS ADDITION TO YORKVILLE; THENCE SOUTH ALONG SAID EAST LINE EXTENDED NORTH AND SAID EAST LINE TO THE SOUTH LINE OF EAST VAN EMMON STREET; THENCE EAST ALONG SAID SOUTH LINE TO THE NORTHEAST CORNER OF LOT 2 IN THE OLD SECOND NATIONAL BANK BRIDGE STREET SUBDIVISION; THENCE FOLLOWING A CLOCKWISE DIRECTION AROUND THE PERIMETER OF SAID LOT 2 TO THE EAST LINE OF ROUTE 47; THENCE SOUTH ALONG SAID EAST LINE TO THE SOUTH LINE OF LOT 1 IN SAID SUBDIVISION; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 1 TO A BEND POINT IN SAID SOUTH LINE; THENCE SOUTH ALONG A WEST LINE OF SAID LOT 1 TO THE NORTHWEST CORNER OF BELL STREET; THENCE SOUTH ALONG THE WEST LINE OF BELL STREET AND THE WEST LINE OF BELL STREET EXTENDED SOUTH TO THE SOUTH LINE OF EAST FOX STREET; THENCE WESTERLY, ON SAID SOUTH LINE, TO THE WEST LINE OF ILLINOIS ROUTE 47; THENCE SOUTHERLY, ON SAID WEST LINE, TO THE SOUTH LINE OF PARCEL TWO, DESCRIBED IN DEED RECORDED JULY 25, 2003 AS DOCUMENT NUMBER 200300025623; THENCE WESTERLY ON SAID SOUTH LINE AND ON THE SOUTH LINE OF PARCEL DESCRIBED IN DEED RECORDED FEBRUARY 1, 2010 AS DOCUMENT NUMBER 201000002076 TO THE WEST LINE OF LOT 5 IN BLOCK 11 IN THE ORIGINAL VILLAGE OF YORKVILLE; THENCE NORTHERLY, ON SAID WEST LINE AND ON THE WEST LINE OF LOT 4 IN SAID BLOCK 11 TO THE SOUTH LINE OF LOT 1 IN SAID BLOCK 11; THENCE EASTERLY, ON THE SOUTH LINE OF SAID LOT 1 TO THE WEST LINE OF AFORESAID PARCEL TWO, DESCRIBED IN DEED RECORDED JULY 25, 2003 AS DOCUMENT NUMBER 200300025623; THENCE NORTHERLY, ON SAID WEST LINE, TO THE SOUTH LINE OF WEST FOX STREET; THENCE NORTHERLY TO THE SOUTHWEST CORNER OF THE EASTERLY 30 FEET OF LOT 7 IN BLOCK 14 IN THE ORIGINAL VILLAGE OF YORKVILLE; THENCE EASTERLY, ON THE SOUTH LINE OF SAID LOT 7, 30 FEET TO THE EAST LINE OF SAID LOT 7; THENCE NORTHERLY ON THE EAST LINE OF SAID LOT 7 AND ON THE EAST LINE OF LOT 6 IN SAID BLOCK 14 TO THE NORTH LINE OF SAID LOT 6; THENCE WESTERLY ON SAID NORTH LINE TO THE EAST LINE OF A PARCEL WITH A PIN OF 02-32-429-002 AND OWNED BY THE COUNTY OF KENDALL; THENCE NORTHERLY, ON THE EAST LINE OF SAID PARCEL TO THE SOUTHEAST CORNER OF VACATED RIDGE STREET; THENCE NORTHERLY ON THE EAST LINE OF SAID VACATED RIDGE STREET TO THE EAST LINE OF VACATED JEFFERSON STREET; THENCE NORTHERLY ON SAID EAST LINE TO THE SOUTH LINE OF A PARCEL DESCRIBED IN WARRANTY DEED RECORDED SEPTEMBER 1, 1995 AS DOCUMENT NUMBER 9506986; THENCE EASTERLY, ON SAID SOUTH LINE, SAID LINE BEING THE CENTERLINE OF VACATED MADISON STREET TO THE EAST LINE OF SAID PARCEL, BEING ALSO THE WEST LINE OF ILLINOIS ROUTE 47; THENCE NORTHERLY, ON THE EAST LINE OF SAID PARCEL TO THE NORTH LINE OF SAID PARCEL, BEING ALSO THE SOUTH LINE OF VAN EMMON STREET; THENCE WESTERLY, ON SAID NORTH LINE, TO THE WEST LINE OF SAID PARCEL; THENCE SOUTHERLY ON SAID WEST LINE TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 6 IN BLOCK 28 IN SAID ORIGINAL VILLAGE OF YORKVILLE; THENCE WESTERLY, ON SAID EASTERLY EXTENSION AND ON THE SOUTH LINE OF LOTS 5 AND 6 IN SAID BLOCK 28, 125 FEET MORE OR LESS TO THE EAST LINE OF LOT 3 IN SAID BLOCK; THENCE NORTHERLY ON SAID EAST LINE AND ON THE EAST LINE OF LOT 4, 100 FEET, MORE OR LESS, TO THE NORTH LINE OF LOT 5 IN SAID BLOCK; THENCE EASTERLY ON THE NORTH LINE OF SAID LOTS 5 AND 6 IN SAID BLOCK 28 TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 6 IN BLOCK 1 IN BLACKS ADDITION; THENCE NORTHERLY ON SAID SOUTHERLY EXTENSION AND ON THE WEST LINE OF LOTS 6, 12, 11 AND 10 IN SAID BLOCK 1 TO THE SOUTH LINE OF THE NORTH HALF OF LOT 10; THENCE EASTERLY ON SAID SOUTH LINE AND ON THE SOUTH LINE OF THE NORTH HALF OF LOT 2 IN SAID BLOCK 1 TO THE WEST LINE OF ROUTE 47; THENCE NORTHERLY ON SAID WEST LINE TO THE NORTH LINE OF WEST HYDRAULIC AVENUE; THENCE WESTERLY, ON SAID NORTH LINE TO THE NORTHERLY EXTENSION OF THE EAST LINE OF MORGAN STREET;

THENCE SOUTHERLY ON SAID NORTHERLY EXTENSION TO THE NORTH LINE OF WEST HYDRAULIC AVENUE; THENCE WESTERLY, ON SAID NORTH LINE TO THE NORTHERLY EXTENSION OF THE WEST LINE OF MORGAN STREET; THENCE SOUTHERLY, ON SAID NORTHERLY EXTENSION AND ON THE WEST LINE OF SAID MORGAN STREET TO THE SOUTH LINE OF THE NORTH HALF OF VACATED VAN EMMON STREET. THENCE WESTERLY, ON SAID SOUTH LINE TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 2 IN BLOCK 24 IN BLACKS SECOND ADDITION; THENCE NORTHERLY, ON SAID SOUTHERLY EXTENSION AND ON THE WEST LINE OF SAID LOT 2 TO THE SOUTH LINE OF THE NORTHERLY 143 FEET OF LOTS 3 AND 4 IN SAID BLOCK 24; THENCE WESTERLY, ON SAID SOUTH LINE TO THE WEST LINE OF SAID LOT 4; THENCE NORTHERLY, ON SAID WEST LINE AND ON THE NORTHERLY EXTENSION OF SAID WEST LINE, TO THE NORTH LINE OF WEST HYDRAULIC AVENUE; THENCE WESTERLY, ON SAID NORTH LINE, TO THE EAST LINE OF WHITE OAK FARM UNIT 1; THENCE SOUTHERLY, ON SAID EAST LINE, TO THE SOUTH LINE OF PARCEL TWO, DESCRIBED IN TRUSTEES DEED RECORDED MARCH 5, 2004 AS DOCUMENT 200400005336; THENCE EASTERLY, ON SAID SOUTH LINE TO THE WEST LINE OF PARCEL 3, DESCRIBED IN WARRANTY DEED, RECORDED OCTOBER 11, 2012 AS DOCUMENT NUMBER 201200019862; THENCE NORTHERLY, ON SAID WEST LINE, 100 FEET MORE OR LESS TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF MADISON STREET; THENCE EASTERLY, ON SAID WESTERLY EXTENSION TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 3 IN BLOCK 23 IN BLACKS SECOND ADDITION; THENCE NORTHERLY, ON SAID SOUTHERLY EXTENSION TO THE NORTH LINE OF THE SOUTH HALF OF VACATED MADISON STREET; THENCE EASTERLY, ON SAID NORTH LINE TO THE NORTHERLY EXTENSION OF THE EAST LINE OF LOT 7 IN BLOCK 21 IN SAID BLACKS SECOND ADDITION; THENCE SOUTHERLY, ON SAID NORTHERLY EXTENSION TO THE SOUTH LINE OF WEST MADISON STREET; THENCE EASTERLY, ON SAID SOUTH LINE TO THE WEST LINE OF SAID SOUTH MAIN STREET; THENCE SOUTHERLY, ON SAID WEST LINE TO THE SOUTH LINE OF WEST WASHINGTON STREET; THENCE EAST ALONG SAID SOUTH LINE AND ALONG THE SOUTH LINE OF EAST WASHINGTON STREET TO THE WEST LINE OF THE EAST 10 FEET OF LOT 10 IN BLOCK 5 OF MASON'S ADDITION TO THE TOWN OF YORKVILLE, EXTENDED SOUTH; THENCE NORTH ALONG SAID WEST LINE EXTENDED AND SAID WEST LINE TO THE SOUTH LINE OF LOT 5 IN SAID BLOCK 5; THENCE EAST ALONG SAID SOUTH LINE AND THE SOUTH LINES OF LOTS 2, 3 AND 4 IN SAID BLOCK 5 TO THE EAST LINE OF SAID LOT 2; THENCE NORTH ALONG SAID EAST LINE AND SAID EAST LINE EXTENDED NORTH TO THE NORTH LINE OF EAST FOX STREET; THENCE EAST ALONG SAID NORTH LINE TO THE EAST LINE OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-301-011; THENCE NORTH ALONG SAID EAST LINE AND THE EAST LINE OF THE FOLLOWING 2 P.I.N.'S 02-33-301-008 AND 02-33-301-013 TO THE SOUTHEAST CORNER OF LOT 1 IN THE OLD SECOND NATIONAL BANK BRIDGE STREET SUBDIVISION; THENCE NORTH ALONG THE EAST LINE OF SAID LOT 1 TO THE SOUTH LINE OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-301-004; THENCE EAST ALONG SAID SOUTH LINE AND SAID SOUTH LINE EXTENDED EAST, TO THE EAST LINE OF HEUSTIS STREET; THENCE NORTH ALONG SAID EAST LINE TO THE SOUTH LINE OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-304-005; THENCE EAST ALONG SAID SOUTH LINE TO THE WEST LINE OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-304-014; THENCE NORTH ALONG SAID WEST LINE TO THE NORTH LINE OF SAID PARCEL; THENCE EAST ALONG SAID NORTH LINE TO THE WEST LINE OF MILL STREET; THENCE EASTERLY TO THE SOUTHEAST CORNER OF MILL STREET AND EAST RIDGE STREET; THENCE NORTH ALONG THE EAST LINE OF MILL STREET TO THE NORTH LINE OF PRICE'S FIRST ADDITION TO YORKVILLE; THENCE EAST ALONG SAID NORTH LINE TO THE EAST LINE OF SAID PRICE'S FIRST ADDITION; THENCE SOUTH ALONG SAID EAST LINE TO AN OLD CLAIM LINE DESCRIBED IN QUIT CLAIM DEED RECORDED JULY 6, 1988 AS DOCUMENT 883256; THENCE SOUTHEASTERLY ALONG SAID OLD CLAIM LINE TO THE WEST LINE OF THE COMMONWEALTH EDISON RIGHT OF WAY; THENCE SOUTH ALONG SAID RIGHT OF WAY TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE EAST ALONG SAID SOUTH LINE TO THE WEST LINE OF KENDALLWOOD ESTATES; THENCE SOUTH ALONG SAID WEST LINE TO THE SOUTHWESTERLY LINE OF SAID KENDALLWOOD ESTATES; THENCE SOUTHEASTERLY, ALONG SAID SOUTHWESTERLY LINE TO THE POINT OF BEGINNING IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

EXHIBIT B: MAP OF REDEVELOPMENT PROJECT AREA

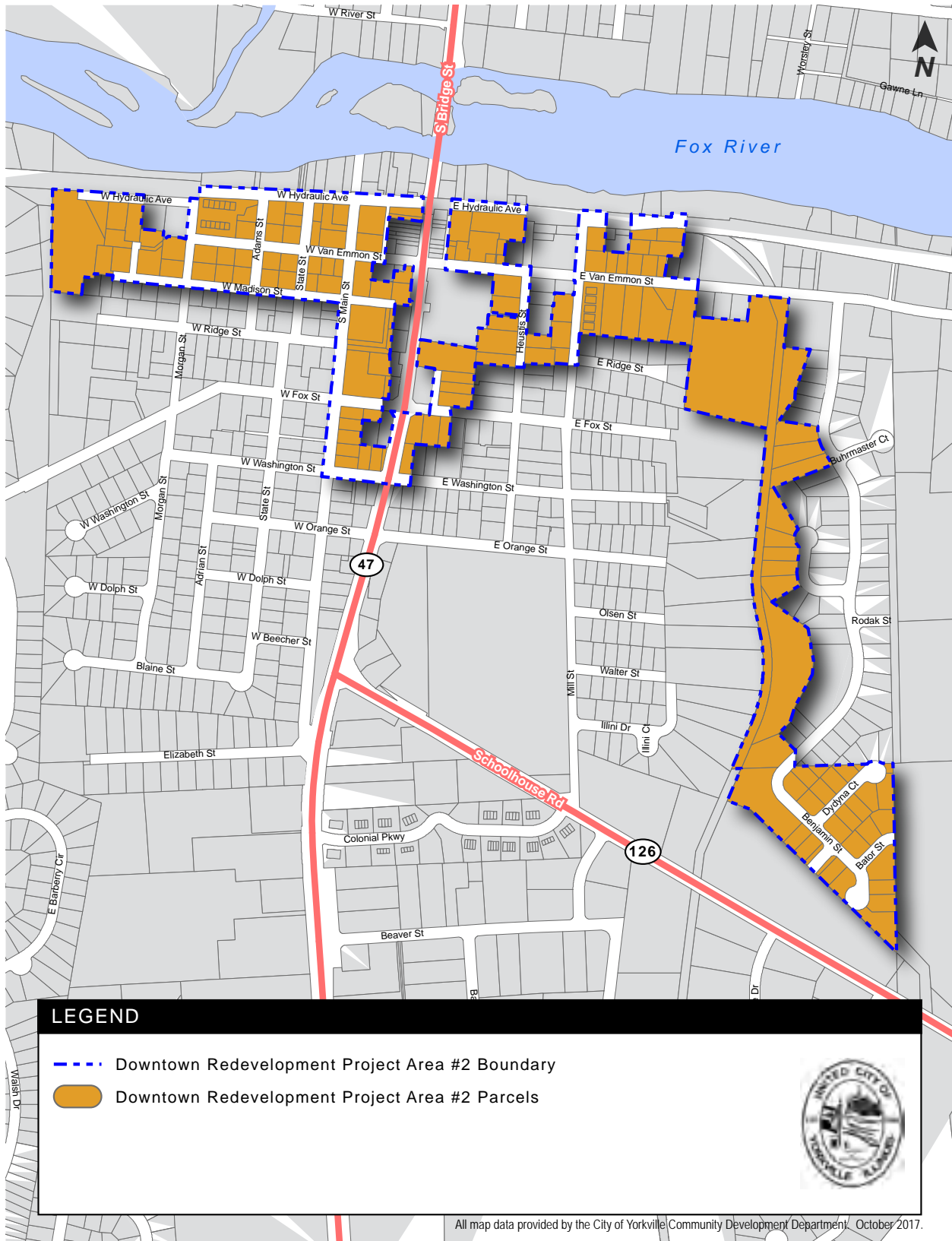


EXHIBIT C: REDEVELOPMENT PROJECT AREA CURRENT LAND USE MAP

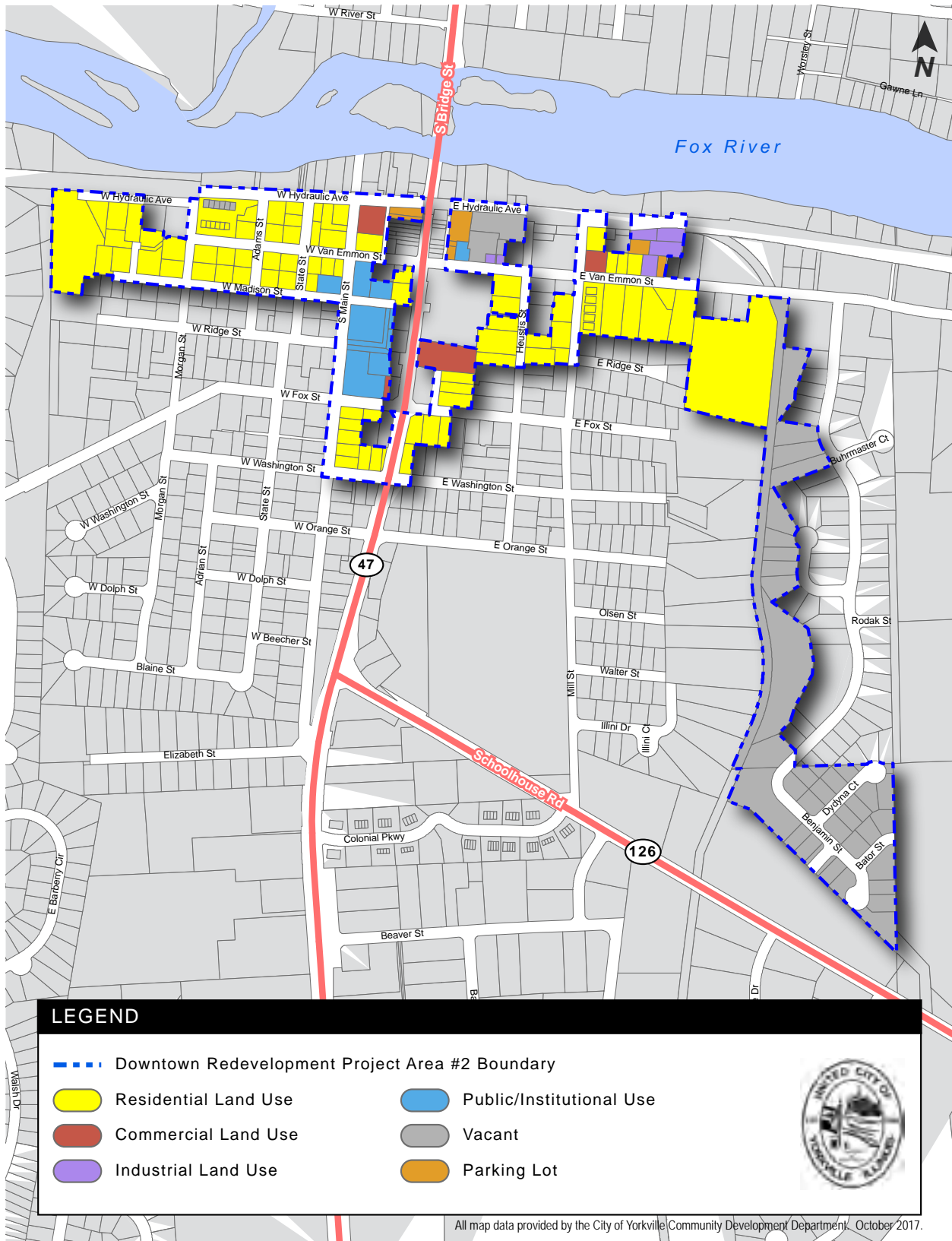
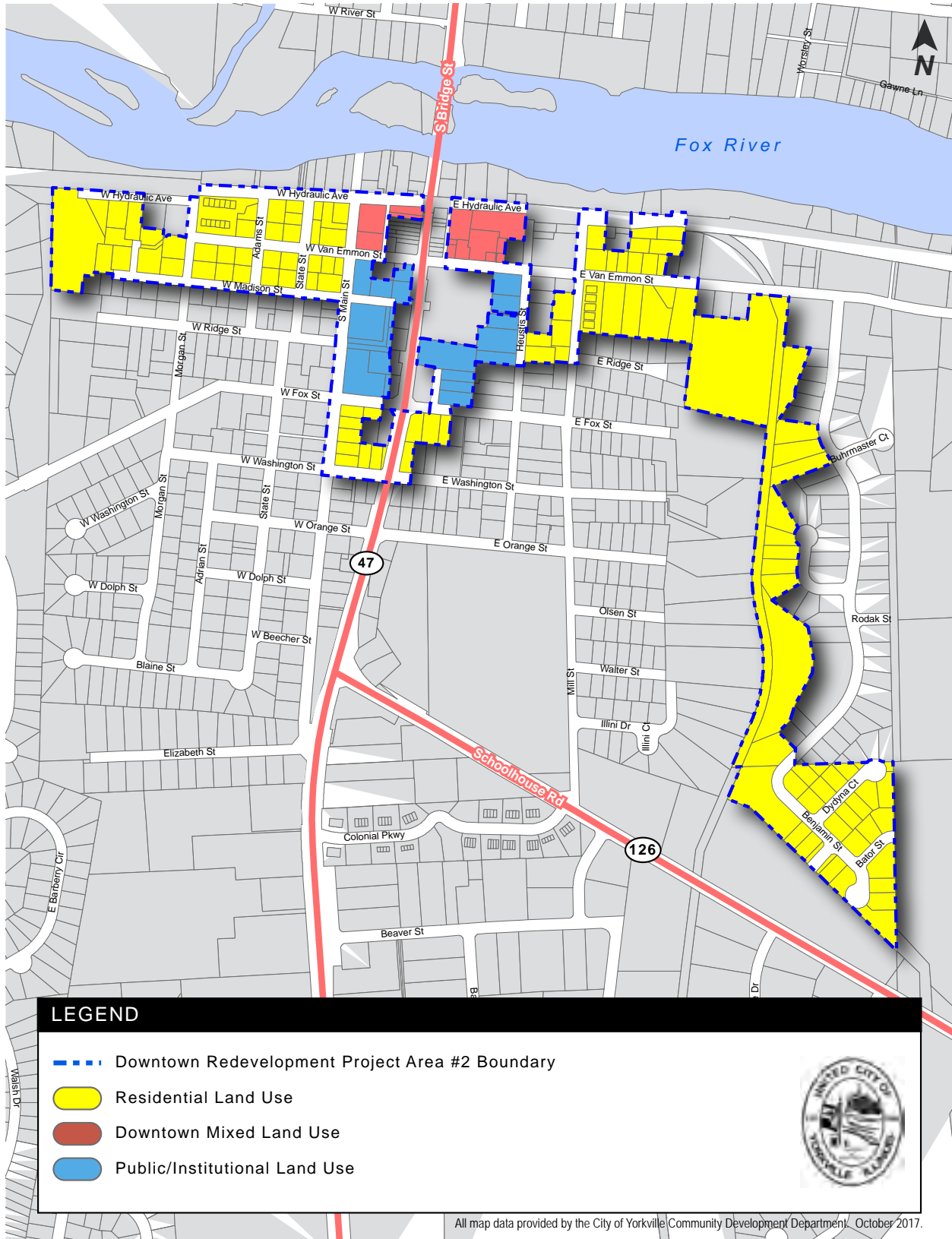


EXHIBIT D: MAP OF REDEVELOPMENT PROJECT AREA





DOWNTOWN REDEVELOPMENT PROJECT AREA #2 ELIGIBILITY REPORT

UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS

DECEMBER 1, 2017

PREPARED BY:
JASON ENGBERG
SENIOR PLANNER

INTRODUCTION

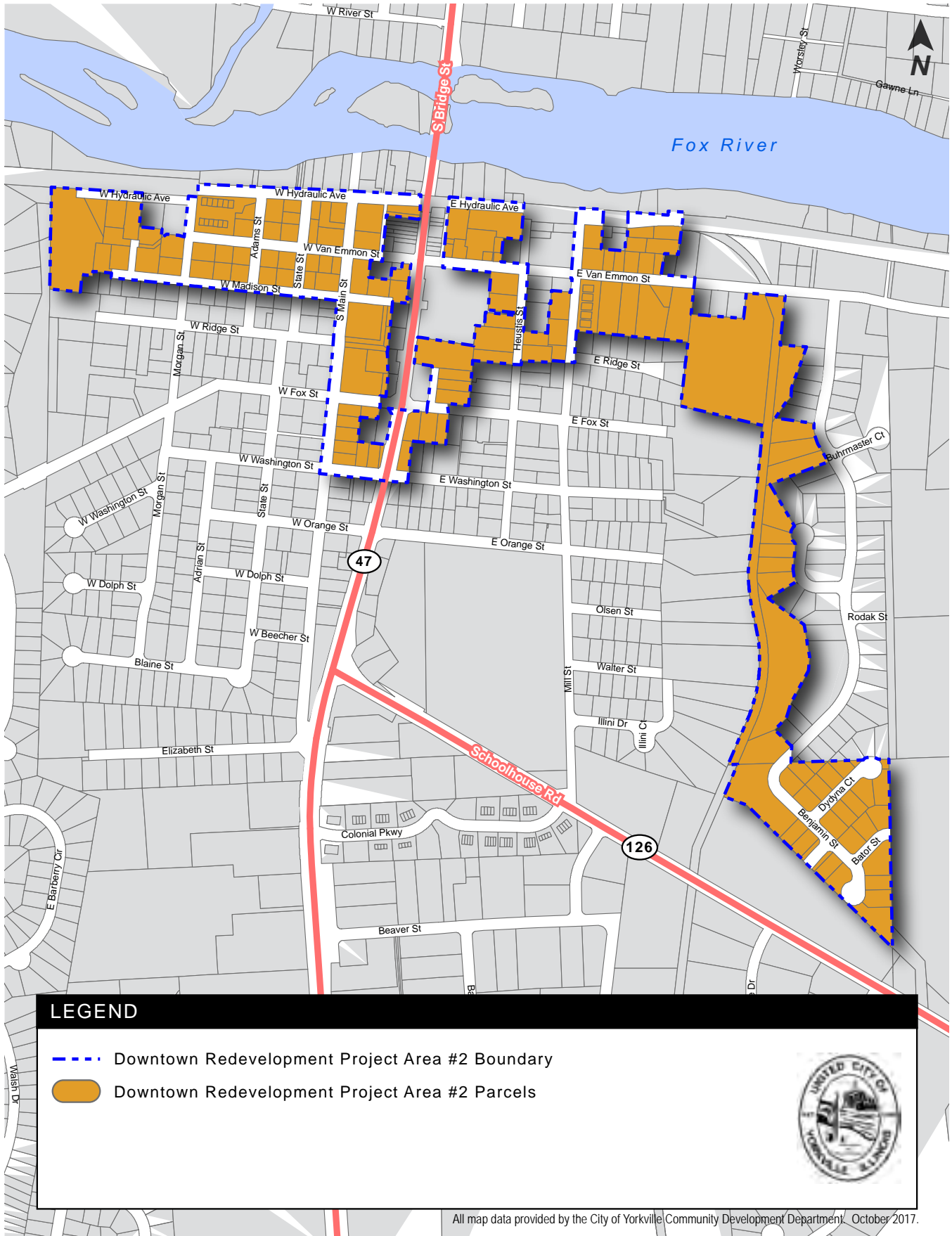
The United City of Yorkville is seeking to establish a new Tax Increment Financing District (TIF) in the central downtown portion of the City near Illinois Route 47 and Van Emmon Street. With the widening of Route 47, this older area of the City has seen a variety of proposed developments not come to fruition and has been identified as an area with significant economic development potential.

An existing Downtown Redevelopment Project Area was established in this general area in 2006. Due to the timing of its establishment and the economic recession which followed, the existing Downtown Redevelopment Project Area has not reached its potential in terms of development and increment generation. Overall, equalized assessed values (EAVs) in the existing area have dropped and over the course of the past decade and those values are the primary factor in generating TIF Increment revenues.

Since the adoption of a new Comprehensive Plan in 2016, Yorkville wants to encourage mixed-use structures compatible with Riverfront Park. This new plan specifies a wider range of properties and blocks in the downtown for potential mixed-use developments in the future than was thought in 2006. By developing a new TIF District and Redevelopment Project Area, the entire downtown which is set for long term planning will be covered by both districts.

This Eligibility Report compares the characteristics of the study area to criteria outlined in state statutes for creation of a Redevelopment Project Area. As shown in Exhibit A – Project Area Boundary, the Project Area is positioned around the Route 47 and Van Emmon Street intersection. The Project Area general boundary contains a majority of the parcels both north and south of Van Emmon Street from 5 blocks West of Route 47 to 3 blocks east of Route 47, as well as parcels on the east side of Main Street from Madison Street to Washington Street, parcels on the west side of Mill St from Van Emmon Street to Ridge Street, parcels on the east side of Heustis Street from Van Emmon Street to Fox Street, and parcels on the east side of Route 47 from Washington Street to Van Emmon Street.

The Project Area consists of 168 parcels containing 133 structures. The total area of the Project Area (including right-of-way) is approximately 86.6 acres. The report that follows is an assessment of the eligibility of the Downtown Redevelopment Project Area #2.



TAX INCREMENT FINANCING

The Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11 - 74.4-1, et seq., as amended (the "Act"), stipulates specific procedures which must be adhered to in designating a Redevelopment Project Area and amendments thereto. A Redevelopment Project Area is defined as:

"...an area designated by the municipality, which is not less in the aggregate than 1 ½ acres and in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as an industrial park conservation area, or a blighted area or a conservation area, or a combination of both blighted areas and conservation areas" (65 ILCS 5/ 11-74.4-3(p)).

Section 5/11-74.4-3(a) defines a "conservation area" as:

"...any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which 50% or more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area, but because of a combination of 3 or more of the following factors: dilapidation; obsolescence; deterioration; presence of structures below minimum code standards; illegal use of individual structures; excessive vacancies; lack of ventilation, light, or sanitary facilities; inadequate utilities; excessive land coverage and overcrowding of structures and community facilities; deleterious land use or layout; lack of community planning; environmental remediation costs impede development; decline or minimal marginal increase in equalized assessed valuation; is detrimental to the public safety, health, morals, or welfare and such an area may become a blighted area."

This report summarizes the analyses and findings of the City's Community Development Department.

The Downtown TIF District #2 Study Area (the "Project Area") is eligible for designation as a conservation area based on the presence of vacant parcels that exhibit:

- (1) Deterioration of structures and site improvements in neighboring areas adjacent to the vacant land;
- (2) Need for environmental remediation;
- (3) Declining total equalized assessed value, as defined by the act;

As well as the presence of improved parcels that exhibit:

- (1) Age of buildings averaging greater than 35 years;
- (2) Deterioration of site or structures on the subject parcels;
- (3) Obsolescence;
- (4) Inadequate utilities;
- (5) Lack of community planning; and
- (6) Declining total equalized assessed value, as defined by the Act.

The present condition of the Project Area inhibits development potential. This report elaborates further on the specific conditions, which have contributed to this decline.

ELIGIBILITY FINDINGS

The United City of Yorkville Community Development Department conducted a field survey of every property within the Project Area. Based on an inspection of the exteriors of buildings and grounds, field notes were taken to record the condition for each parcel. This survey occurred on July 10, 2017. Photographs further document the observed conditions. Field observations were supplemented with additional City information.

The Act indicates different qualifying criteria for vacant land and improved land. As illustrated in Exhibit B - Vacant and Improved Land, the Project Area contains a mix of vacant and improved land uses. To ensure proper designation, the vacant and improved parcels were evaluated according to the criteria for each respective land use.

VACANT LAND

In order to be designated as a blighted area, a combination of at least two (2) of the qualifying factors outlined in the Act must be present to a meaningful extent and reasonably distributed throughout the Project Area (or in this case, reasonably distributed throughout the vacant portion of the Project Area). Exhibit B illustrates the vacant properties in the Project Area (50 parcels).

OBSOLETE PLATTING

Obsolete platting refers to vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create right-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public right-of-way or that omitted easements for public utilities.

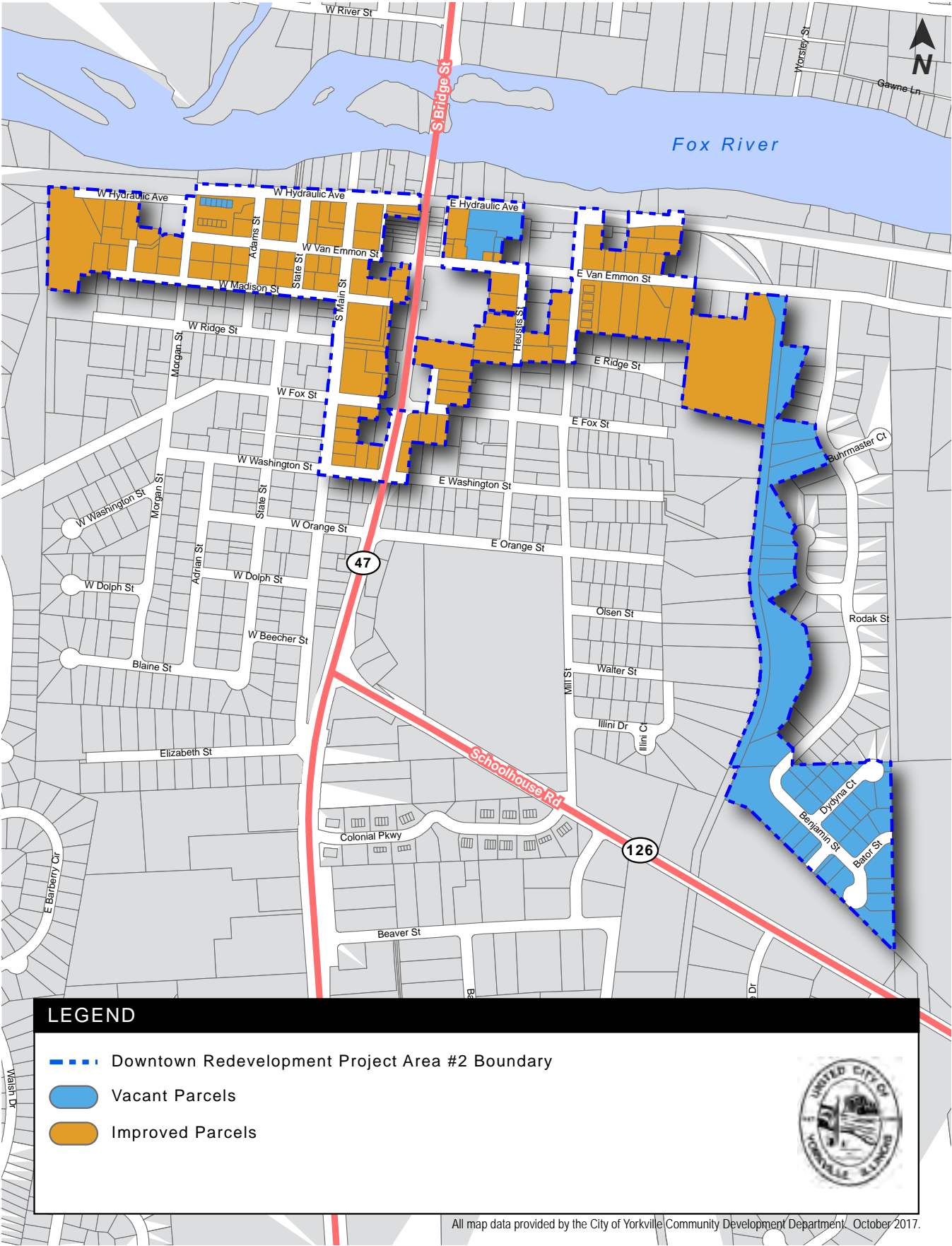
The layout, shape, and size of vacant parcels located throughout the Project Area do not demonstrate obsolete platting. Many of the parcels are located in the Kendallwood Estates subdivision which is platted specifically for new single family home development. Additionally, the other vacant properties are an adequate size and shape to develop the uses intended in their respective zones. Due to the lack of presence and distribution of parcels exhibiting obsolete platting, this factor **does not contribute** to the designation of the Project Area as a conservation area.

DIVERSITY OF OWNERSHIP

Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development. While there are several different owners of the vacant land within the Project Area, it is not considered a major impediment to development. Therefore, diversity of ownership **does not contribute** to the Project Area as a conservation area.

TAX AND SPECIAL ASSESSMENT DELINQUENCIES

Tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years. There are no significant known tax or special assessment delinquencies present on the vacant parcels within the Project Area, and therefore, tax delinquency **does not contribute** to the Project Area as a conservation area.



DETERIORATION OF NEIGHBORING STRUCTURES OR SITES

Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land refers to physical deficiencies or disrepair in buildings or site improvements requiring treatment or repair. Examples of deterioration of buildings and surface improvements on improved parcels within the Project Area are outlined in the following section, "Improved Land." Additionally, the parcels adjacent to the Kendallwood Estate properties which are not in the proposed Project Area show minor site and building deterioration as determined by field observations.

Due to the presence of structures and site improvements demonstrating deterioration in neighboring areas adjacent to vacant parcels within the Project Area, deterioration **is a contributing factor** towards designation of the Project Area as a conservation area.

ENVIRONMENTAL REMEDIATION

This factor is relevant when the area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

There is approximately 2.4 acres of vacant property within the Project Area which require environmental remediation per the Illinois Environmental Protection Agency (IEPA). A Comprehensive Site Investigation Report was conducted in 2007 and the parcels are generally located between E Van Emmon Street and Hydraulic Street and west of Heustis Street. The site is recognized by the IEPA as "Grainco" and is LPC# 0930255064. This accounts of nearly 10% of the vacant property within the TIF and is a major site for redevelopment. The quantity of environmental remediation sites compared to the overall vacant properties within the Project Area is significant and **does contribute** to the Project area as a conservation area.

DECLINE OR MINIMAL MARGINAL INCREASE IN THE EQUALIZED ASSESSED VALUE

This factor can be cited if the total equalized assessed value of the proposed redevelopment project area has declined for three of the last five calendar years, for which information is available; or is increasing at an annual rate that is less than the balance of the municipality for three of the last five calendar years, for which information is available; or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for three of the last five calendar years, for which information is available.

Levy Year	2011	2012	2013	2014	2015	2016
Project Area Parcels (EAV)	\$163,460	\$146,309	\$145,109	\$211,109	\$213,493	\$226,909
Percent Change		-10.49%	-0.82%	45.48%	1.13%	6.28%
City's Total EAV	\$490,538,275	\$443,686,399	\$420,637,121	\$418,661,883	\$426,766,690	\$458,924,589
Percent Change		-9.55%	-5.19%	-0.47%	1.94%	7.54%

The equalized assessed value for all the vacant parcels in the Project Area has decreased two out of the past five levy years. The rate of growth of the vacant properties over the past five years compared to the City's overall EAV growth has been slower in 3 of the past 5 years (2012, 2015, 2016).

Decline in the equalized assessed value (EAV) contributes toward the designation of the Project Area as a conservation area based on decline in EAV compared to the City's total EAV over the past five years.

IMPROVED LAND

In order to be designated as a conservation area, at least 50% of the structures must be 35 years or more in age. Additionally, a combination of at least three of the other qualifying factors outlined in the Act must be present to a meaningful extent and reasonably distributed throughout the Project Area. There are a total of 118 improved lots within the Project Area.

AGE OF BUILDINGS

Based on field analysis and data collected from Kendall County, a total of 109 out of 126 (83.2%) structures within the Project Area were built more than 35 years ago (1982). This exceeds the statutory requirement that at least 50% of the buildings in the conservation area be 35 years of age or older.

DILAPIDATION

Dilapidation refers to an advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

No structures in the Project Area display this extreme physical state of disrepair. Therefore, **dilapidation does not significantly contribute** towards the designation of the Project Area as a conservation area.

OBSOLESCENCE

Obsolescence is the condition or process of falling into disuse. Obsolete structures have become ill-suited for the original use. With respect to properties and buildings, the nature of obsolescence may be functional or economic, or a combination of both. Generally, functional obsolescence relates to the physical utility of a property or structure, and economic obsolescence relates to the ability of a property or building to compete in the market place.

A. Functional Obsolescence

The design and spatial layout of buildings and site improvements and their geographical location respond to market needs for specific uses at the time those buildings and improvements are constructed. Additionally, buildings and improvements are designed within the technological constraints of the time. Design and spatial layout characteristics of buildings and site improvements include, but are not limited to, floor area, height, column spacing, loading and service areas, building orientation, on-site parking and storage areas, and vehicular circulation. Over time, geographical and structural changes occur within industries and real estate markets causing properties to become ill suited for their original use, resulting in deficiencies in those buildings that limit their ability to function for their original purpose. This loss in functionality and overall usefulness or desirability of a property, diminishes the value of the property and the building.

B. Economic Obsolescence

Economic obsolescence is generally a result of building or site improvements that cause some degree of market rejection, resulting in a diminished market value of the property for its original intended use. Symptoms of economic obsolescence include excessive vacancies, lack of maintenance, deterioration, and dilapidation of buildings and site improvements. Site improvements, including sewer and water lines, public utility lines (gas, electric, and telephone), roadways, parking areas, parking structures, sidewalks, curbs and gutters, lighting, etc., may also evidence obsolescence in terms of their relationship to contemporary development standards for such improvements. Factors of this type of obsolescence may include inadequate utility capacities, outdated designs, etc.

Typically, buildings with excessive vacancies or those classified as deteriorating or dilapidated contain

undesirable building or site improvement conditions that may be infeasible to cure, resulting in an accelerated decline in market value. When not corrected, these building and site improvement deficiencies adversely impact neighboring areas, thereby detracting from the physical, functional, and economic vitality of the overall area.

Obsolescence, both functional and economic, is widely present within the Project Area. There are a few structures which are functionally and economically obsolete from their original use north of East Van Emmon Street. Additionally, almost all of the parcels within the Project Area are functionally obsolete. The lot sizes and shapes of the parcels do not conform to the standards the City currently maintains. This includes flag lots, parcels without an access point, structures located on more than one parcel, and structures encroaching in required yards. The layout of the parcels and the structures upon them are no longer functional and are a deterrent to development. Therefore, the presence of both **functional and economic obsolescence of buildings and site improvements does significantly contribute** towards the designation of the Project Area as a conservation area.

DETERIORATION

With respect to buildings, deterioration refers to defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia.

The field survey found that 38 out of 126 buildings (29%) exhibit these types of deteriorating characteristics. These deteriorating effects include cracks in masonry walls and foundations, aging windows and doors, deteriorating columns, and roofs and gutters in need of repair. These issues are widely distributed throughout the Project Area.

With respect to surface improvements, the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas may evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

Deterioration of surface improvements was found on 66 out of 126 parcels (52.4%) in the Project Area. Poor condition of streets, sidewalks, paved parking areas, driveways, and curbs were the most common examples.

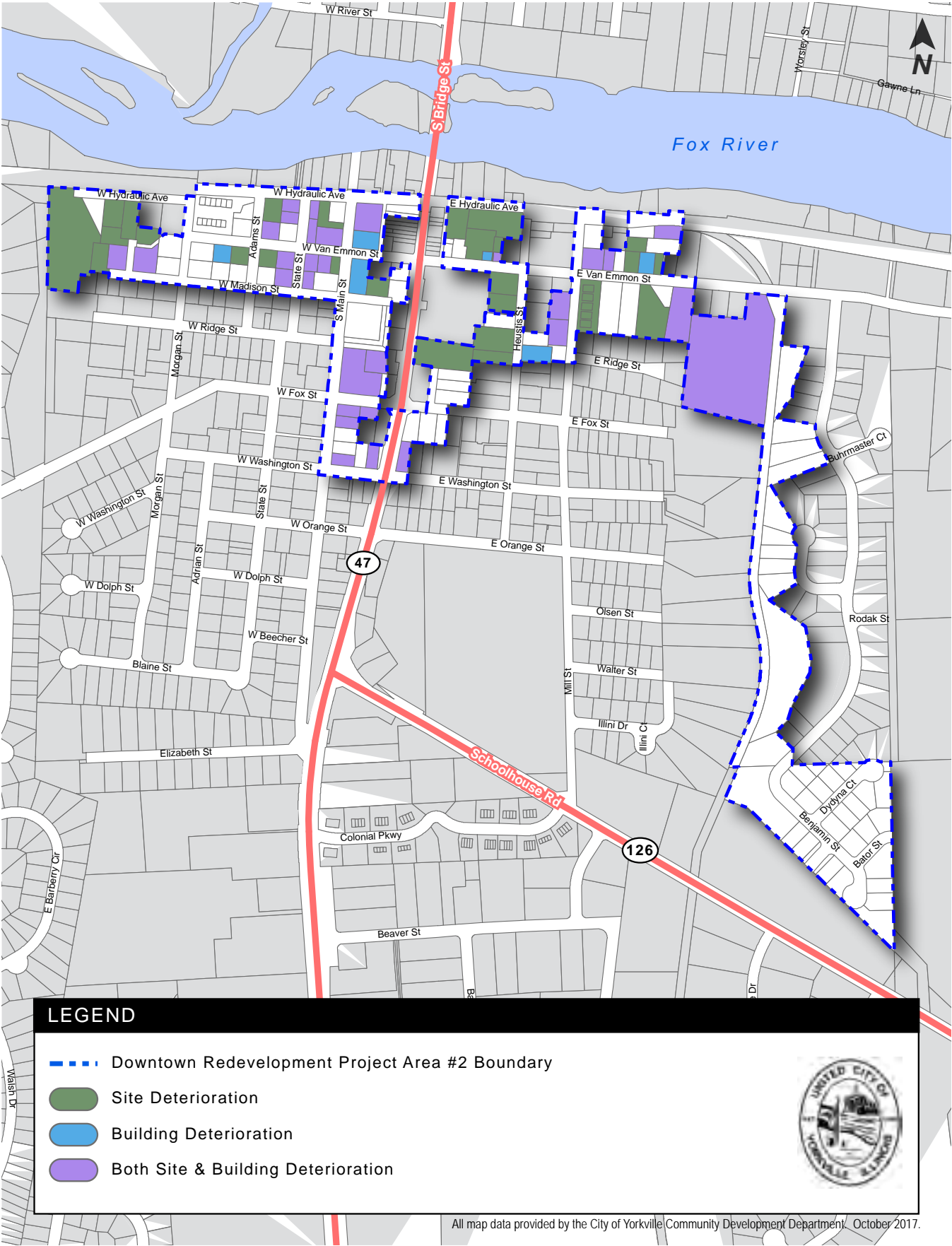
The distribution of deterioration, both of buildings and surface improvements, is widely distributed throughout the Project Area (Exhibit C – Deterioration). In terms of overall deterioration, 22.7 acres of the 33.7 acres (67.4%) of all parcels within the Project Area exhibit either building deterioration, site deterioration, or a combination of both.

The presence of **deterioration of buildings and surface improvements and its is reasonable distribution throughout the area contributes** towards the designation of the Project Area as a conservation area.

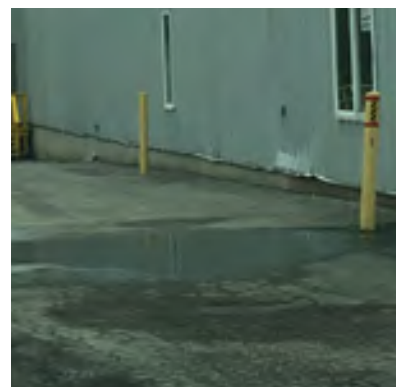
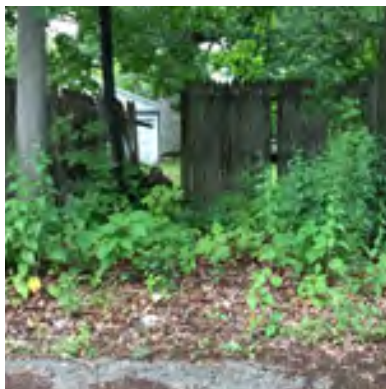
ILLEGAL USE OF INDIVIDUAL STRUCTURES

Illegal use of individual structures refers to the use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

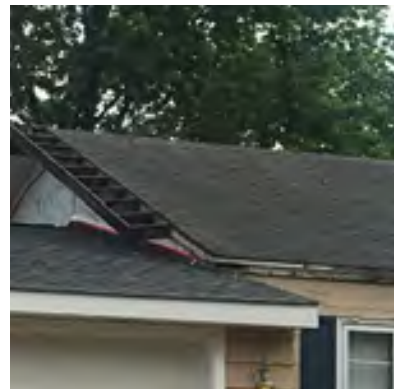
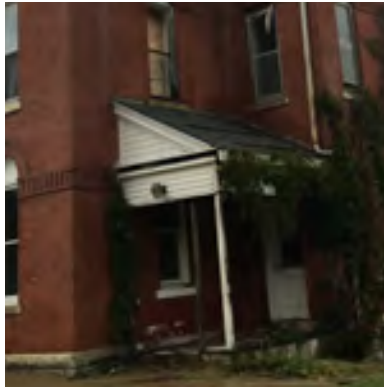
The exterior field survey conducted by United City of Yorkville found no obvious instances of illegal use of structures within the Project Area. Therefore, **illegal use of individual structures does not contribute** to the designation of the Project Area as a conservation area.



SITE DETERIORATION EXAMPLES



BUILDING DETERIORATION EXAMPLES



EXCESSIVE VACANCIES

Excessive vacancies refer to the presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

Four of the 126 buildings are vacant or partially vacant throughout the Project Area (3.2%). Although vacancies are present within the Project Area, they are concentrated, not evenly distributed throughout the Project Area, and not numerous enough in quantity to be considered excessive. Therefore, **excessive vacancies do not contribute** towards designation of the Project Area as a conservation area.

LACK OF VENTILATION, LIGHT, OR SANITARY FACILITIES

Inadequate ventilation is characterized by the absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence or inadequacy of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refer to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

None of the buildings in the Project Area are known to exhibit this characteristic of lack of ventilation, light or sanitary facilities. Therefore, **lack of ventilation, light, or sanitary facilities does not contribute** to the designation of the Project Area as a conservation area.

INADEQUATE UTILITIES

This factor relates to all underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

An evaluation of utilities within the Project Area was conducted by the City Engineer and Director of Public Works. In terms of water services, there are several locations where the water mains are not sufficient in size to meet capacity standards. This includes stretches along Madison Court, Main Street, and W Washington Street. The sanitary sewer lines are sufficient in size for capacity in all of downtown but they are old clay pipes and require lining. The deteriorating conditions of the existing sanitary sewer lines is a existing condition the City has been actively trying to remedy. Finally, storm sewers are lacking within the entire Project Area. Since this is the oldest part of the Yorkville community, the presence of storm sewers is below capacity. Additionally, the sewer lines which do exist are old and deteriorating.

After the analysis conducted by the City Engineering Department and Public Works Department, there are many utilities in the Project Area which are insufficient in capacity and quality. Therefore, the presence of **inadequate utilities is a contributing factor** to the designation of the Project Area as a conservation area.

DELETERIOUS LAND USE OR LAYOUT

Deleterious land uses include the existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

While there are several locations within the Project Area which have incompatible land uses next to each other, for example manufacturing next to residential, a majority of the land uses in the area are residential and compatible with on another. Therefore, **deleterious land use does not significantly contribute** to the designation of the Project Area as a conservation area.

EXCESSIVE LAND COVERAGE AND OVERCROWDING OF STRUCTURES

This factor relates to the over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as exhibiting excessive land coverage are: the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape, in relation to present-day standards of development for health and safety, and the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

There are 6 out of the 131 structures (4.6%) which excessively cover the parcels where they are located. Therefore, **excessive land coverage and overcrowding of structures and community facilities does not contribute** to the designation of the Project Area as a conservation area.

LACK OF COMMUNITY PLANNING

Lack of community planning occurs when the proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

The United City of Yorkville adopted its first Comprehensive Plan in 1974. A majority of the parcels and structures within the Project Area were platted and constructed before the City had a plan for the area's development. Additionally, there are an abundant amount of parcels which are oddly shaped, have structures on them which are oddly laid out and have small setbacks from neighbors, and there are many incompatible land uses adjacent to each other. All of these factors illustrate a lack of community planning throughout the entire Project Area.

Lack of community planning is prevalent throughout the Project Area, and therefore, qualifies as a factor towards designation of a conservation area.

ENVIRONMENTAL REMEDIATION

This factor is relevant when the area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

There are no improved properties which require environmental remediation. Therefore, this factor **does not contribute to the designation** of the Project Area as a conservation area.

PRESENCE OF STRUCTURES BELOW MINIMUM CODE STANDARDS

Structures below minimum code standards include all structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

In 2013, the City began a substantive and concentrated effort to address ongoing building code violations throughout the downtown. Over the past four (4) years of conducting these “downtown sweeps”, the City has issued nearly 80 citations resulting in numerous violations and judgments. While a majority of these citations were property maintenance related, the more significant building code violations were related to either exterior damage or structural soundness, which have been addressed with the recent demolition of several buildings. At the time the field survey was conducted, information was gathered from the City’s Building Official; it was determined that there were no presence of structures below minimum code standards. While there are several buildings showing deterioration or violation of current zoning bulk regulations, these structures are considered legally non-conforming uses and therefore do not qualify as they are currently legal structures. The City maintains but for future redevelopment in this area, continual building code violations will occur.

The presence of structures below minimum code standards does not contribute towards the designation of the Project Area as a conservation area.

DECLINE OR MINIMAL MARGINAL INCREASE IN THE EQUALIZED ASSESSED VALUE

This factor can be cited if the total equalized assessed value of the proposed redevelopment project area has declined for three of the last five calendar years, for which information is available; or is increasing at an annual rate that is less than the balance of the municipality for three of the last five calendar years, for which information is available; or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for three of the last five calendar years, for which information is available.

Levy Year	2011	2012	2013	2014	2015	2016
Project Area Parcels (EAV)	\$4,857,551	\$4,641,064	\$4,255,518	\$4,217,153	\$4,273,954	\$4,487,777
Percent Change		-4.46%	-8.31%	-0.90%	1.35%	5.00%

The equalized assessed value for all the parcels in the Project Area has decreased three out of the past five levy years.

Decline in the equalized assessed value (EAV) contributes toward the designation of the Project Area as a conservation area based on decline in EAV of the Project Area over the previous five years.

CONCLUSION

Based on the findings contained herein, the Project Area qualifies as a conservation area according to the criteria established by the Act, based on the predominance and extent of parcels exhibiting the following primary characteristics:

VACANT LAND

- (1) Deterioration of structures and site improvements in neighboring areas adjacent to the vacant land;
- (2) Need for environmental remediation;
- (3) Declining total equalized assessed value, as defined by the act.

IMPROVED LAND

- (1) Age of buildings averaging greater than 35 years;
- (2) Deterioration of site or structures on the subject parcels;
- (3) Obsolescence
- (4) Inadequate utilities;
- (5) Lack of community planning; and
- (6) Declining total equalized assessed value, as defined by the Act.

Each of these factors contributes significantly to the eligibility of the Project Area as a conservation area. All of these characteristics point to the need for designation of the Project Area as a conservation area, to be followed by public intervention in order that redevelopment might occur.

PINS

The Following is a list of the PINs within the Downtown Redevelopment Project Area #2:

02-32-252-001	02-32-284-002	02-32-434-005	02-33-307-003	05-04-131-002
02-32-252-003	02-32-284-003	02-33-154-009	02-33-307-004	05-04-131-003
02-32-252-004	02-32-284-004	02-33-154-015	02-33-307-005	05-04-130-004
02-32-252-005	02-32-284-005	02-33-154-019	02-33-307-014	05-04-130-003
02-32-252-006	02-32-284-006	02-33-154-020	02-33-307-016	05-04-130-002
02-32-252-008	02-32-285-001	02-33-154-022	02-33-307-018	05-04-130-001
02-32-252-010	02-32-285-002	02-33-154-023	02-33-307-020	05-04-129-001
02-32-252-011	02-32-285-003	02-33-156-004	02-33-307-021	05-04-129-002
02-32-253-001	02-32-285-004	02-33-156-005	02-33-307-022	05-04-129-003
02-32-253-002	02-32-286-001	02-33-156-006	02-33-326-008	05-04-129-004
02-32-253-003	02-32-286-002	02-33-156-007	02-32-280-004	05-04-129-005
02-32-253-004	02-32-286-003	02-33-156-008	02-32-280-005	05-04-129-006
02-32-280-002	02-32-286-004	02-33-156-009	02-32-280-006	05-04-129-007
02-32-280-003	02-32-286-005	02-33-156-014	02-32-280-007	05-04-129-008
02-32-280-010	02-32-287-001	02-33-156-018	02-32-280-008	05-04-129-009
02-32-280-011	02-32-287-005	02-33-157-007	02-32-280-009	05-04-128-001
02-32-280-012	02-32-287-007	02-33-157-008	02-33-154-013	05-04-128-002
02-32-280-013	02-32-287-008	02-33-158-004	02-33-154-014	05-04-128-003
02-32-280-014	02-32-291-001	02-33-177-001	02-33-154-018	05-04-128-004
02-32-280-015	02-32-291-002	02-33-177-002	02-33-326-004	05-04-128-005
02-32-280-016	02-32-292-002	02-33-177-013	02-33-377-001	05-04-128-006
02-32-281-001	02-32-429-001	02-33-178-001	02-33-377-007	05-04-128-007
02-32-281-002	02-32-429-002	02-33-301-002	02-33-377-008	05-04-128-008
02-32-281-003	02-32-429-003	02-33-301-003	02-33-377-009	05-04-128-009
02-32-281-006	02-32-429-009	02-33-301-004	02-33-377-020	
02-32-281-007	02-32-429-010	02-33-301-008	02-33-377-021	
02-32-282-001	02-32-433-001	02-33-301-011	02-33-377-022	
02-32-282-003	02-32-433-002	02-33-301-013	02-33-377-023	
02-32-282-004	02-32-433-003	02-33-301-015	02-33-377-024	
02-32-282-005	02-32-433-004	02-33-302-017	02-33-377-034	
02-32-282-006	02-32-433-005	02-33-302-021	02-33-377-033	
02-32-283-001	02-32-433-008	02-33-304-004	05-04-127-001	
02-32-283-002	02-32-433-009	02-33-304-005	05-04-127-002	
02-32-283-003	02-32-433-011	02-33-304-019	05-04-127-003	
02-32-283-004	02-32-433-013	02-33-304-020	05-04-127-004	
02-32-284-001	02-32-434-004	02-33-307-002	05-04-131-001	



DOWNTOWN REDEVELOPMENT PROJECT AREA #2

UNITED CITY OF YORKVILLE, ILLINOIS

DRAFT

DECEMBER 1, 2017

PREPARED BY:
JASON ENGBERG
SENIOR PLANNER

CITY OF YORKVILLE, ILLINOIS

INTRODUCTION

For the Downtown Redevelopment Project Area #2 Study Area, officials of the United City of Yorkville have determined that, without direct municipal involvement and financial assistance, planning objectives for the area cannot be met. To encourage new investment in the Yorkville Downtown Redevelopment Project Area #2, the City has decided to utilize Tax Increment Financing (TIF) as one of several potential financial tools to facilitate redevelopment.

As a part of the feasibility study for a proposed TIF district, the Tax Increment Allocation Redevelopment Act (65 ILCS 5/11 - 74.4 - 1, et seq.) (the Act) stipulates that a Housing Impact Study must be prepared when:

"the redevelopment plan would result in the displacement of residents from 10 or more inhabited residential units, or if the redevelopment project area contains 75 or more inhabited residential units and no certification is made [that the redevelopment plan will not result in displacement of residents]... (Section 11-74.4-3(n)(5))"

The implementation of the Downtown Redevelopment Project Area #2 Redevelopment Plan may result in the displacement of as many as 8 residential units. While this does not exceed the displacement of 10 or more inhabited residential unit's threshold, the redevelopment project area contains 102 inhabited residential dwelling units, which is greater than the threshold of 75 or more inhabited dwelling units. Therefore, completion of this Housing Impact Study is required. This estimate is based on a field inventory completed as a part of the TIF Eligibility Study, conducted on July 10, 2017. The City has recently prepared a Comprehensive Plan which recommends future land uses within the proposed Yorkville Downtown Redevelopment Project Area #2. Some of the existing residential units have been projected to be displaced in order to facilitate redevelopment opportunities. Therefore, the United City of Yorkville has prepared this report to satisfy the requirements of Section 11-74.4-3(n)(5).

The number and type of residential buildings in the Project Area potentially affected by the Redevelopment Plan were identified during the building condition and land use survey conducted as part of the eligibility analysis for the Project Area. A good faith estimate and determination of the number of residential units within each such building, whether such residential units were inhabited, and whether the inhabitants were low-income or very low-income households were based on a number of research and analytical tools including physical building surveys, data received from the City of Yorkville, and the 2015 American Community Survey (ACS).

PART 1: HOUSING INVENTORY

The Act stipulates specific information that must be provided in a Housing Impact Study. According to the Act, Part I of the Housing Impact Study shall include:

- i. data as to whether the residential units are single family or multi-family units,
- ii. the number and type of rooms within the units, if that information is available,
- iii. whether the units are inhabited or uninhabited, as determined not less than 45 days before the date that the ordinance or resolution required by subsection (a) of Section 11-74.4-5 is passed, and
- iv. data as to the racial and ethnic composition of the residents in the inhabited residential units. The data requirement as to the racial and ethnic composition of the residents in the inhabited residential units shall be deemed to be fully satisfied by data from the most recent federal census.

TYPE OF RESIDENTIAL USES

Table 1 describes the residential units by type.

TABLE 1 | DWELLING UNITS BY TYPE

Housing Type	# of Housing Units	% of Housing Units
Single-Family	64	62.7%
Multi-Family	38	37.3%
Total	102	100%

Source: Field Survey - July 10, 2017

NUMBER OF RESIDENTS

For purposes of this study, data has been gathered from the United States Census 2015 American Community Survey and represented in the form of Block Groups. A Block Group is a combination of census blocks. The Block Group is the lowest level of geography for which the Census Bureau has tabulated data. In this study, Yorkville has relied on the 2015 American Community Survey because it contains the best available information regarding the structures and residents of the Downtown TIF District #2. The Project Area contains portions of the block group 1 and block group 4 of Census Tract 8906.00. In total, there are 102 housing units and approximately 264 residents within the Project Area (Table 2).

TABLE 2 | HOUSING UNITS AND POPULATION

Census Tract	Block Group	Average Household Size	Housing Units	Estimated Number of Residents
8906.00	1	2.91	64	186
8906.00	4	2.05	38	78
Total			102	264

Source: 2015 American Community Survey

NUMBER OF BEDROOMS

Table 3 shows the estimated number of bedrooms in residential units in the Downtown Redevelopment Project Area #2. As defined by the Census Bureau, number of bedrooms includes all rooms intended for use as bedrooms even if they are currently used for some other purpose. A residential unit consisting of only one room, such as a one-room efficiency apartment, is classified by definition as having no bedroom.

TABLE 3 | ESTIMATED NUMBER OF BEDROOMS PER DWELLING UNIT

Census Tract 8906.00 Number of Bedrooms	Block Group 1		Block Group 4	
	Dwelling Units	Percentage	Dwelling Units	Percentage
0 Bedrooms	1	2%	0	0%
1 Bedroom	3	4%	1	3%
2 Bedrooms	12	18%	25	65%
3 Bedrooms	21	34%	8	21%
4 Bedrooms	20	31%	3	9%
5 or More Bedrooms	7	11%	1	2%
Total	64	100%	38	100%

Source: 2015 American Community Survey

UNITS WITH KITCHEN AND PLUMBING FACILITIES

Table 4 shows the estimated number of conventional residential units in the Downtown Redevelopment Project Area #2 with kitchen and plumbing facilities. As defined by the Census Bureau, a unit has complete kitchen facilities when it has all of the following: (1) an installed sink with piped water; (2) a range, cook top and convection or microwave oven, or cook stove; and (3) a refrigerator. All kitchen facilities must be located in the structure. They need not be in the same room. Portable cooking equipment is not considered a range or cook stove. An ice box is not considered to be a refrigerator. As defined by the Census Bureau, complete plumbing facilities include hot and cold piped water, a flush toilet, and a bathtub or shower. All three facilities must be located inside the house, apartment, or mobile home, but not necessarily in the same room. Housing facilities are classified as lacking complete plumbing facilities when any of the three facilities are not present.

TABLE 4 | ESTIMATED NUMBER OF UNITS WITH KITCHEN AND PLUMBING FACILITIES

Facility	Units with Facility	% of Units	Units without Facility	% of Units
Kitchen	94	92%	8	8%
Plumbing	100	98%	2	2%

Source: 2015 American Community Survey

INHABITED UNITS

The occupancy status of the residential units in the Project Area must be determined not less than 45 days prior to the adoption of an ordinance or resolution fixing the time and place for public hearing. As of that date, as determined initially by a building-by-building field survey, an estimated 1.1% of units in the Downtown Redevelopment Project Area #2 were determined to be uninhabited (1 Dwelling Unit). Therefore, 93 residential units in the Project Area are assumed to be inhabited.

RACIAL AND ETHNIC COMPOSITION

As required by the Act, the racial and ethnic composition of the residents in the inhabited residential units is determined according to the most recent Federal census data. As noted, there are an estimated 264 residents in project area. Racial and ethnic composition is available from the 2015 American Community Survey. Table 5 identifies residents by their racial and ethnic composition, and estimates the racial and ethnic composition of the estimated 264 residents of the Downtown Redevelopment Project Area #2.

TABLE 5 | ESTIMATED RACIAL AND ETHNIC COMPOSITION OF RESIDENTS

Race	8906.00, Block Group 1	8906.00 Block Group 4	Total	Percent of Population	Estimated in Project Area
White Only	3,493	973	4466	96.7%	255
Black or African American Only	71	14	85	1.8%	5
American Indian and Alaskan Native Only	0	0	0	0.0%	0
Asian Only	0	0	0	0.0%	0
Native Hawaiian and Other Pacific Islander Only	0	0	0	0.0%	0
Other Single Race	15	12	27	0.6%	2
Two or More Races	30	12	42	0.9%	2
TOTAL	3,609	1011	4620	100.0%	264

Source: 2015 American Community Survey

ECONOMIC COMPOSITION

The distribution of household income for residents within the Project Area is based on 2015 American Community Survey data. In order to estimate the number of moderate, low, very low, and extremely low-income households in the Project Area, Census Tract household incomes from the 2015 American Community Survey were used. As determined by the US Department of Housing and Urban Development ("HUD"), the definitions of the income categories, adjusted for household size, are as follows:

- An extremely low-income household has an adjusted income of not more than 30% of the area median income.
- A very low-income household has an adjusted income of more than 30% and not more than 50% of the area median income.
- A low-income household has an adjusted income of more than 50% and not more than 80% of the area median.
- A moderate-income household has an adjusted income of more than 80% and not more than 120% of the area median.

The median household income for the City of Yorkville is \$89,850, based on data from the 2015 American Community Survey. The estimates of households at or below the moderate-income level collectively represent approximately 61.4% of the total inhabited residential units in the Project Area. As a result, the City will implement the Redevelopment Plan (including the requirements applicable to composition of the joint review board under Section 11-74.4-5(b) of the Act) as if more than 50 percent of the residential units are occupied by extremely low, very low, low, or moderate income households.

TABLE 6 | STUDY AREA EXTREMELY LOW, VERY LOW, LOW, AND MODERATE HOUSEHOLD INCOME LEVEL

Median Household Income Level	Income Categories Based on Level	% of Households within Study Area
Extremely Low Income (1)	\$0-\$26,955	11.4%
Very Low Income (2)	\$26,956-\$44,925	12.1%
Low Income (3)	\$44,926-\$71,880	16.1%
Moderate Income (4)	\$71,881-\$107,820	21.8%

Source: 2015 American Community Survey

1. Definition of Extremely Low Income Household as defined by the Illinois Affordable Housing Act: "Extremely low-income household" means a single person, family or unrelated persons living together whose adjusted income is not more than 30% of the median income of the area of residence.
2. Definition of Very Low Income Household as defined by the Illinois Affordable Housing Act: "Very low-income household" means a single person, family or unrelated persons living together whose adjusted income is not more than 50% of the median income of the area of residence.
3. Definition of Low Income Household as defined by the Illinois Affordable Housing Act: "Low-income household" means a single person, family or unrelated persons living together whose adjusted income is more than 50% but less than 80% of the median income of the area of residence.
4. "Moderate income household" means a single person, family or unrelated persons living together whose adjusted income is more than 80% but less than 120% of the median income of the area of residence.
5. The percentages of the study area households that qualify as extremely low, very low, low, and moderate income were determined at the block group level, as per 2014 American Community Survey data.

PART 2: RELOCATION PLANS

The Act specifies that the second part of a Housing Impact Study must:

“...identify the inhabited residential units in the proposed redevelopment project area that are to be or may be removed. If inhabited residential units are to be removed, then the housing impact study shall identify (i) the number and location of those units that will or may be removed, (ii) the municipality’s plans for relocation assistance for those residents in the proposed redevelopment project area whose residences are to be removed, (iii) the availability of replacement housing for those residents whose residences are to be removed, and shall identify the type, location, and cost of the housing, and (iv) the type and extent of relocation assistance to be provided.”

RESIDENTIAL UNITS WHICH MAY BE DISPLACED

The Redevelopment Plan indicates that inhabited residential units may be redeveloped during the 23-year lifetime of the TIF. Residential units may be displaced from the Downtown Redevelopment Project Area #2 in order to facilitate potential future development opportunities. The potential removal of any buildings containing residential units and any displacement of residents of inhabited units will be done within the intent of the Redevelopment Plan. These units, if displaced, are likely to be displaced over time throughout the life of the Redevelopment Plan.

AVAILABILITY OF REPLACEMENT HOUSING

According to data in the 2015 American Community Survey, approximately 79% of housing units in the Downtown Redevelopment Project Area #2 are owner occupied. Conversely, approximately 20% of housing units in TIF District #2 are estimated to be renter occupied. The remaining 1% of residential units are vacant. Therefore, both for-sale and for-rent units are considered for potential replacement housing.

TABLE 7 | OWNER VS. RENTER OCCUPANCY

	Number	Percentage
Owner Occupied	81	79.4%
Renter Occupied	20	19.6%
Vacant	1	1.0%
Total:	102	100.0%

Source: 2015 American Community Survey

In order to determine appropriate replacement housing, real estate listings were examined in areas in close proximity to the Downtown Redevelopment Project Area #2. According to the 2015 American Community Survey, the median home value in Yorkville is \$232,500, and according to www.trulia.com the median rent per month for a single family home is \$1,595. Listings were obtained for homes with list prices approximately equivalent to the market values of homes which may be displaced (\$260,000 and below). The location, type, and cost of a sample of possible replacement housing units in these areas are shown in Tables 8 and 9. The information presented is based on classified advertisements from multiple sources, including Trulia.com and Zillow.com during July 2017. If relocation for displaced residents of the Downtown Redevelopment Project Area #2 is required, there are similar priced single-family homes and rental units available both within the City of Yorkville and in the immediate vicinity.

TABLE 8 | REAL ESTATE FOR SALE NEAR DOWNTOWN TIF DISTRICT #2

Similar Nearby For Sale:	City	Price	# Bedrooms/Baths	Type
22 Gawne Ln	Yorkville	\$180,000	3 Bedroom	Single-Family Home
19 Maple St	Yorkville	\$164,900	3 Bedroom	Single-Family Home
706 Morgan St	Yorkville	\$184,900	3 Bedroom	Single-Family Home
502 W Dolph St	Yorkville	\$199,000	3 Bedroom	Single-Family Home
703 S Main St	Yorkville	\$235,000	3 Bedroom	Single-Family Home
3403 Veronica St	Plano	\$137,300	3 Bedroom	Single-Family Home
207 Pleasure Dr #A	Yorkville	\$155,000	4 Bedroom	Single-Family Home
2342 Emerald Ln	Yorkville	\$190,095	4 Bedroom	Single-Family Home
2203 Ryan Dr	Yorkville	\$219,990	5 Bedroom	Single-Family Home
57 Stanfield Dr	Plano	\$169,713	5 Bedroom	Single-Family Home

TABLE 9 | REAL ESTATE FOR RENT NEAR DOWNTOWN TIF DISTRICT #2

Similar Nearby For Rent:	City	Rent	# Bedrooms/Baths	Type
302 E Kendall Dr	Yorkville	\$1,710	3 Bedroom	Apartment
221 Fairhaven Dr #00	Yorkville	\$1,985	3 Bedroom	Multi-Family Home
4201 Foli St	Plano	\$1,795	3 Bedroom	Single-Family Home
1386 Carolyn Ct	Yorkville	\$1,695	3 Bedroom	Single-Family Home
477 E Barberry Cir	Yorkville	\$1,850	4 Bedroom	Single-Family Home
1393 Carolyn Ct #C	Yorkville	\$1,595	2 Bedroom	Townhome
3821 Bailey Rd #336010	Yorkville	\$1,695	3 Bedroom	Townhome
302 Morgan St	Yorkville	\$1,550	3 Bedroom	Townhome
3935 Havenhill Ct	Yorkville	\$1,695	3 Bedroom	Townhome
3821 Bailey Rd	Yorkville	\$1,695	3 Bedroom	Townhome

CITY'S PLANS FOR RELOCATION ASSISTANCE AND TYPE AND EXTENT OF RELOCATION ASSISTANCE

The TIF Act allows the City of Yorkville to provide relocation assistance to residents displaced by the Redevelopment Plan. The City plans on providing relocation assistance to those individuals who qualify under the TIF Act. As stated, the City will utilize guidelines from the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) and other federal guidelines as the basis for its relocation assistance where appropriate.

In addition, to the extent that any removal or displacement will affect households of low-income and very low income persons, the City will provide affordable housing and relocation assistance not less than that which would be provided under the URA and the regulations thereunder, including the eligibility criteria. Affordable housing may either be existing or newly constructed housing and the City shall make a good faith effort to ensure that the affordable housing is located in or near the Project Area. For the purposes of this Housing Impact Study, "low-income households", "very low-income households", and "affordable housing" shall have the meanings set forth in the Illinois Affordable Housing Act.

As of the date of this Redevelopment Plan, these statutory terms have the following meaning: (i) “low-income household” means a single person, family or unrelated persons living together whose adjusted income is more than 50 percent but less than 80 percent of the median income of the area of residence, adjusted for family size, as such adjusted income and median income are determined from time to time by the United States Department of Housing and Urban Development (“HUD”) for purposes of Section 8 of the United States Housing Act of 1937 (“Section 8”); (ii) “very low-income household” means a single person, family, or unrelated persons living together whose adjusted income is not more than 50 percent of the median income of the area of residence, adjusted for family size, as so determined by HUD for the purposes of Section 8 of the United States Housing Act of 1937; and (iii) “affordable housing” means residential housing that, so long as the same is occupied by low-income households or very low-income households, requires payment of monthly housing costs, including utilities other than telephone, of no more than 30 percent of the maximum allowable income for such households, as applicable.

AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, DESIGNATING THE PROPOSED UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS DOWNTOWN REDEVELOPMENT PROJECT AREA #2 PURSUANT TO THE TAX INCREMENT ALLOCATION REDEVELOPMENT ACT

WHEREAS, it is desirable and in the best interests of the citizens of the United City of Yorkville, Kendall County, Illinois (the “City”), for the City to implement tax increment allocation financing pursuant to the Illinois Tax Increment Allocation Redevelopment Act, as amended, 65 ILCS 5/11-74.4-1, *et seq.* (the “TIF Act”), for a Redevelopment Plan and Project as set forth in the United City of Yorkville, Kendall County, Illinois Downtown Redevelopment Project Area #2 Redevelopment Plan (the “Plan”) within the municipal boundaries of the City and within a proposed redevelopment project area (the “Project Area”), described in *Section 1* of this Ordinance; and

WHEREAS, the Mayor and City Council of the City (collectively, the “Corporate Authorities”) have heretofore by ordinance adopted and approved the Plan, which Plan was identified in such ordinance and was the subject, along with the Project Area designation hereinafter made, of a public hearing held on the 13th day of March, 2018, at the United City of Yorkville, City Hall, 800 Game Farm Road, Yorkville, Illinois, and it is now necessary and desirable to designate the Project Area as a “redevelopment project area” pursuant to the TIF Act.

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, as follows:

Section 1. Area Designated. The Project Area, as described in *Exhibit A*, attached hereto and incorporated herein as if set out in full by this reference, is hereby designated as a

redevelopment project area pursuant to Section 11-74.4-4 of the TIF Act. The map of the Project Area showing the street location is depicted in *Exhibit B*, attached hereto and incorporated herein as if set out in full by this reference.

Section 2. Determination of Total Initial Equalized Assessed Valuation; Parcel Identification Numbers Identified. It is hereby expressly found and determined that the year the County Clerk of Kendall County (the “*County Clerk*”), shall use for determining the total initial equalized assessed valuation of the Project Area is 2016. It is further hereby expressly found and determined that the list of the parcel tax identification numbers for each parcel of property included in the Project Area, described in *Exhibit C*, attached hereto and incorporated herein, is a true, correct, and complete list of said numbers for said parcels of property.

Section 3. Transmittal to County Clerk. The City Clerk is hereby expressly directed to transmit to the County Clerk a certified copy of this Ordinance, which includes a legal description of the Project Area, a map of the Project Area, identification of the year that the County Clerk shall use for determining the total initial equalized assessed value of the Project Area, and a list of the parcel tax identification numbers for each parcel property included in the Project Area.

Section 4. Invalidity of Any Section. If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 5. Superseder and Effective Date. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are repealed to the extent of such conflict, and this

Ordinance shall be in full force and effect immediately upon its passage by the Corporate Authorities and approval as provided by law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this _____ day of _____, 2018.

CITY CLERK

CARLO COLOSIMO _____

KEN KOCH _____

JACKIE MILSCHEWSKI _____

ARDEN JOE PLOCHER _____

CHRIS FUNKHOUSER _____

JOEL FRIEDERS _____

SEAVER TARULIS _____

ALEX HERNANDEZ _____

Approved by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this _____ day of _____, 2018.

MAYOR

Attest:

CITY CLERK

Exhibit A

DOWNTOWN REDEVELOPMENT PROJECT AREA #2
LEGAL DESCRIPTION

THAT PART OF SECTIONS 32 AND 33, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHERLY CORNER OF LOT 83 IN KENDALLWOOD ESTATES; THENCE NORTH ALONG THE EAST LINE OF SAID KENDALLWOOD ESTATES TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE WESTERLY ALONG THE SAID SOUTH LINE TO THE NORTHERLY LINE OF DYDYNA COURT; THENCE WESTERLY ALONG THE SAID NORTHERLY LINE TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE WESTERLY ALONG SAID SOUTH LINE TO THE SOUTHEASTERLY LINE OF BENJAMIN STREET; THENCE NORTHERLY TO THE SOUTHERLY CORNER OF LOT 5 IN SAID KENDALLWOOD ESTATES; THENCE NORTHWESTERLY ALONG THE SOUTHWEST LINE OF SAID LOT 5 TO THE EASTERLY LINE OF LOT 86 IN SAID KENDALLWOOD ESTATES; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 86 TO THE SOUTHERLY CORNER OF LOT 12 IN SAID KENDALLWOOD ESTATES; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT 12 TO THE WEST LINE OF TOMASIK COURT; THENCE NORTHERLY ALONG SAID WEST LINE TO THE SOUTHERLY MOST CORNER OF LOT 17 IN SAID KENDALLWOOD ESTATES; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID LOT 17 TO THE SOUTHEASTERLY LINE OF LOT 27 IN SAID KENDALLWOOD ESTATES; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT 27 TO THE WESTERLY LINE OF SAID BENJAMIN STREET; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID BENJAMIN STREET TO THE NORTH LINE OF LOT 29 IN SAID KENDALLWOOD ESTATES; THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 29 TO THE EASTERLY LINE OF LOT 84 IN SAID KENDALLWOOD ESTATES; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 84 TO THE NORTH LINE OF SAID LOT 84; THENCE WEST ALONG SAID NORTH LINE TO THE EAST LINE OF THE COMMONWEALTH EDISON RIGHT OF WAY; THENCE NORTH ALONG SAID EAST LINE TO THE SOUTH LINE OF EAST VAN EMMON STREET; THENCE WEST ALONG SAID SOUTH LINE TO THE EAST LINE OF VAN EMMON STREET ADDITION TO YORKVILLE; THENCE SOUTH ALONG SAID EAST LINE TO THE SOUTH LINE OF SAID VAN EMMON STREET ADDITION TO YORKVILLE; THENCE WEST ALONG SAID SOUTH LINE TO THE WEST LINE OF SAID VAN EMMON STREET ADDITION TO YORKVILLE; THENCE NORTH ALONG SAID WEST LINE AND SAID WEST LINE EXTENDED NORTH, TO THE NORTH LINE OF VAN EMMON STREET; THENCE WEST ALONG THE NORTH LINE OF SAID VAN EMMON STREET TO THE WEST LINE OF A PARCEL OF LAND CONVEYED BY DEED RECORDED JULY 3, 1990, AS DOCUMENT 904281; THENCE NORTH ALONG THE WEST LINE OF SAID PARCEL TO THE NORTH LINE OF SAID PARCEL; THENCE EAST ALONG THE NORTH LINE OF SAID PARCEL TO THE WEST LINE OF LOT 12 IN SECTION 33, ACCORDING TO THE PLAT THEREOF RECORDED ON PLAT BOOK 3 AT PAGE 96; THENCE NORTHERLY ALONG SAID WEST LINE TO THE NORTH LINE OF THE ILLINOIS RAILNET RIGHT OF WAY; THENCE WESTERLY ALONG SAID NORTH LINE TO THE NORTHERLY EXTENSION

OF THE EAST LINE OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-156-016; THENCE SOUTHERLY ALONG THE NORTHERLY EXTENSION OF SAID EAST LINE AND THE EAST LINES OF SAID PARCEL TO THE SOUTHERLY MOST CORNER OF SAID PARCEL; THENCE WEST ALONG THE SOUTH LINE OF SAID PARCEL TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE NORTH ALONG THE WEST LINE OF SAID PARCEL TO THE SOUTHWEST CORNER OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-156-017; THENCE NORTH ALONG THE WEST LINE OF SAID PARCEL AND SAID WEST LINE EXTENDED TO THE NORTH LINE OF HYDRAULIC AVENUE; THENCE WEST ALONG SAID NORTH LINE TO THE NORTHERLY EXTENSION OF THE WEST LINE OF MILL STREET; THENCE SOUTH ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF MILL STREET AND THE WEST LINE OF MILL STREET TO THE SOUTH LINE OF LOT 4 IN TER-JAC SUBDIVISION; THENCE WEST ALONG SAID SOUTH LINE TO THE NORTHEAST CORNER OF LOT 2 IN SAID TER-JAC SUBDIVISION; THENCE SOUTH ALONG SAID EAST LINE TO THE SOUTH LINE OF SAID LOT 2; THENCE WEST ALONG SAID SOUTH LINE TO THE WEST LINE OF THE EAST 6 FEET OF LOT I IN SAID TER-JAC SUBDIVISION; THENCE SOUTH ALONG SAID WEST LINE TO THE SOUTH LINE OF SAID LOT 1; THENCE WEST ALONG SAID SOUTH LINE TO THE EAST LINE OF HEUSTIS STREET; THENCE NORTH ALONG SAID EAST LINE TO THE NORTH LINE OF EAST VAN EMMON STREET; THENCE WEST ALONG SAID NORTH LINE TO THE WEST LINE OF A PARCEL OF LAND DESCRIBED IN TRUSTEE'S DEED DATED JANUARY 23, 2002 AND RECORDED AS DOCUMENT 200200002291; THENCE NORTH ALONG SAID WEST LINE TO THE NORTH LINE OF SAID PARCEL; THENCE EAST ALONG SAID NORTH LINE TO THE WEST LINE OF HEUSTIS STREET; THENCE NORTH ALONG SAID WEST LINE AND ALONG THE NORTHERLY EXTENSION THEREOF TO THE NORTH LINE OF SAID EAST HYDRAULIC AVENUE; THENCE WEST ALONG SAID NORTH LINE TO THE EAST LINE, EXTENDED NORTH, OF THE 20' ALLEY RUNNING THROUGH BLOCK SIX OF BLACKS ADDITION TO YORKVILLE; THENCE SOUTH ALONG SAID EAST LINE EXTENDED NORTH AND SAID EAST LINE TO THE SOUTH LINE OF EAST VAN EMMON STREET; THENCE EAST ALONG SAID SOUTH LINE TO THE NORTHEAST CORNER OF LOT 2 IN THE OLD SECOND NATIONAL BANK BRIDGE STREET SUBDIVISION; THENCE FOLLOWING A CLOCKWISE DIRECTION AROUND THE PERIMETER OF SAID LOT 2 TO THE EAST LINE OF ROUTE 47; THENCE SOUTH ALONG SAID EAST LINE TO THE SOUTH LINE OF LOT 1 IN SAID SUBDIVISION; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 1 TO A BEND POINT IN SAID SOUTH LINE; THENCE SOUTH ALONG A WEST LINE OF SAID LOT 1 TO THE NORTHWEST CORNER OF BELL STREET; THENCE SOUTH ALONG THE WEST LINE OF BELL STREET AND THE WEST LINE OF BELL STREET EXTENDED SOUTH TO THE SOUTH LINE OF EAST FOX STREET; THENCE WESTERLY, ON SAID SOUTH LINE, TO THE WEST LINE OF ILLINOIS ROUTE 47; THENCE SOUTHERLY, ON SAID WEST LINE, TO THE SOUTH LINE OF PARCEL TWO, DESCRIBED IN DEED RECORDED JULY 25, 2003 AS DOCUMENT NUMBER 200300025623; THENCE WESTERLY ON SAID SOUTH LINE AND ON THE SOUTH LINE OF PARCEL DESCRIBED IN DEED RECORDED FEBRUARY 1, 2010 AS DOCUMENT NUMBER 201000002076 TO THE WEST LINE OF LOT 5 IN BLOCK 11 IN THE ORIGINAL VILLAGE OF YORKVILLE; THENCE NORTHERLY, ON SAID WEST LINE AND ON THE WEST LINE OF LOT 4 IN SAID BLOCK 11 TO THE SOUTH LINE OF LOT 1 IN SAID BLOCK 11; THENCE EASTERLY, ON THE SOUTH LINE OF SAID LOT 1 TO THE WEST LINE OF AFORESAID PARCEL TWO, DESCRIBED IN DEED RECORDED JULY 25, 2003 AS DOCUMENT NUMBER 200300025623; THENCE NORTHERLY, ON SAID WEST LINE, TO THE SOUTH LINE OF WEST FOX STREET; THENCE NORTHERLY TO THE SOUTHWEST CORNER OF THE

EASTERLY 30 FEET OF LOT 7 IN BLOCK 14 IN THE ORIGINAL VILLAGE OF YORKVILLE; THENCE EASTERLY, ON THE SOUTH LINE OF SAID LOT 7, 30 FEET TO THE EAST LINE OF SAID LOT 7; THENCE NORTHERLY ON THE EAST LINE OF SAID LOT 7 AND ON THE EAST LINE OF LOT 6 IN SAID BLOCK 14 TO THE NORTH LINE OF SAID LOT 6; THENCE WESTERLY ON SAID NORTH LINE TO THE EAST LINE OF A PARCEL WITH A PIN OF 02-32-429-002 AND OWNED BY THE COUNTY OF KENDALL; THENCE NORTHERLY, ON THE EAST LINE OF SAID PARCEL TO THE SOUTHEAST CORNER OF VACATED RIDGE STREET; THENCE NORTHERLY ON THE EAST LINE OF SAID VACATED RIDGE STREET TO THE EAST LINE OF VACATED JEFFERSON STREET; THENCE NORTHERLY ON SAID EAST LINE TO THE SOUTH LINE OF A PARCEL DESCRIBED IN WARRANTY DEED RECORDED SEPTEMBER 1, 1995 AS DOCUMENT NUMBER 9506986; THENCE EASTERLY, ON SAID SOUTH LINE, SAID LINE BEING THE CENTERLINE OF VACATED MADISON STREET TO THE EAST LINE OF SAID PARCEL, BEING ALSO THE WEST LINE OF ILLINOIS ROUTE 47; THENCE NORTHERLY, ON THE EAST LINE OF SAID PARCEL TO THE NORTH LINE OF SAID PARCEL, BEING ALSO THE SOUTH LINE OF VAN EMMON STREET; THENCE WESTERLY, ON SAID NORTH LINE, TO THE WEST LINE OF SAID PARCEL; THENCE SOUTHERLY ON SAID WEST LINE TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 6 IN BLOCK 28 IN SAID ORIGINAL VILLAGE OF YORKVILLE; THENCE WESTERLY, ON SAID EASTERLY EXTENSION AND ON THE SOUTH LINE OF LOTS 5 AND 6 IN SAID BLOCK 28, 125 FEET MORE OR LESS TO THE EAST LINE OF LOT 3 IN SAID BLOCK; THENCE NORTHERLY ON SAID EAST LINE AND ON THE EAST LINE OF LOT 4, 100 FEET, MORE OR LESS, TO THE NORTH LINE OF LOT 5 IN SAID BLOCK; THENCE EASTERLY ON THE NORTH LINE OF SAID LOTS 5 AND 6 IN SAID BLOCK 28 TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 6 IN BLOCK 1 IN BLACKS ADDITION; THENCE NORTHERLY ON SAID SOUTHERLY EXTENSION AND ON THE WEST LINE OF LOTS 6, 12, 11 AND 10 IN SAID BLOCK 1 TO THE SOUTH LINE OF THE NORTH HALF OF LOT 10; THENCE EASTERLY ON SAID SOUTH LINE AND ON THE SOUTH LINE OF THE NORTH HALF OF LOT 2 IN SAID BLOCK 1 TO THE WEST LINE OF ROUTE 47; THENCE NORTHERLY ON SAID WEST LINE TO THE NORTH LINE OF WEST HYDRAULIC AVENUE; THENCE WESTERLY, ON SAID NORTH LINE TO THE NORTHERLY EXTENSION OF THE EAST LINE OF MORGAN STREET; THENCE SOUTHERLY ON SAID NORTHERLY EXTENSION TO THE NORTH LINE OF WEST HYDRAULIC AVENUE; THENCE WESTERLY, ON SAID NORTH LINE TO THE NORTHERLY EXTENSION OF THE WEST LINE OF MORGAN STREET; THENCE SOUTHERLY, ON SAID NORTHERLY EXTENSION AND ON THE WEST LINE OF SAID MORGAN STREET TO THE SOUTH LINE OF THE NORTH HALF OF VACATED VAN EMMON STREET. THENCE WESTERLY, ON SAID SOUTH LINE TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 2 IN BLOCK 24 IN BLACKS SECOND ADDITION; THENCE NORTHERLY, ON SAID SOUTHERLY EXTENSION AND ON THE WEST LINE OF SAID LOT 2 TO THE SOUTH LINE OF THE NORTHERLY 143 FEET OF LOTS 3 AND 4 IN SAID BLOCK 24; THENCE WESTERLY, ON SAID SOUTH LINE TO THE WEST LINE OF SAID LOT 4; THENCE NORTHERLY, ON SAID WEST LINE AND ON THE NORTHERLY EXTENSION OF SAID WEST LINE, TO THE NORTH LINE OF WEST HYDRAULIC AVENUE; THENCE WESTERLY, ON SAID NORTH LINE, TO THE EAST LINE OF WHITE OAK FARM UNIT 1; THENCE SOUTHERLY, ON SAID EAST LINE, TO THE SOUTH LINE OF PARCEL TWO, DESCRIBED IN TRUSTEES DEED RECORDED MARCH 5, 2004 AS DOCUMENT 200400005336; THENCE EASTERLY, ON SAID SOUTH LINE TO THE WEST LINE OF PARCEL 3, DESCRIBED IN WARRANTY DEED, RECORDED OCTOBER 11, 2012 AS DOCUMENT NUMBER 201200019862; THENCE NORTHERLY, ON SAID WEST LINE, 100 FEET MORE OR LESS TO THE

WESTERLY EXTENSION OF THE SOUTH LINE OF MADISON STREET; THENCE EASTERLY, ON SAID WESTERLY EXTENSION TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 3 IN BLOCK 23 IN BLACKS SECOND ADDITION; THENCE NORTHERLY, ON SAID SOUTHERLY EXTENSION TO THE NORTH LINE OF THE SOUTH HALF OF VACATED MADISON STREET; THENCE EASTERLY, ON SAID NORTH LINE TO THE NORTHERLY EXTENSION OF THE EAST LINE OF LOT 7 IN BLOCK 21 IN SAID BLACKS SECOND ADDITION; THENCE SOUTHERLY, ON SAID NORTHERLY EXTENSION TO THE SOUTH LINE OF WEST MADISON STREET; THENCE EASTERLY, ON SAID SOUTH LINE TO THE WEST LINE OF SAID SOUTH MAIN STREET; THENCE SOUTHERLY, ON SAID WEST LINE TO THE SOUTH LINE OF WEST WASHINGTON STREET; THENCE EAST ALONG SAID SOUTH LINE AND ALONG THE SOUTH LINE OF EAST WASHINGTON STREET TO THE WEST LINE OF THE EAST 10 FEET OF LOT 10 IN BLOCK 5 OF MASON'S ADDITION TO THE TOWN OF YORKVILLE, EXTENDED SOUTH; THENCE NORTH ALONG SAID WEST LINE EXTENDED AND SAID WEST LINE TO THE SOUTH LINE OF LOT 5 IN SAID BLOCK 5; THENCE EAST ALONG SAID SOUTH LINE AND THE SOUTH LINES OF LOTS 2, 3 AND 4 IN SAID BLOCK 5 TO THE EAST LINE OF SAID LOT 2; THENCE NORTH ALONG SAID EAST LINE AND SAID EAST LINE EXTENDED NORTH TO THE NORTH LINE OF EAST FOX STREET; THENCE EAST ALONG SAID NORTH LINE TO THE EAST LINE OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-301-011; THENCE NORTH ALONG SAID EAST LINE AND THE EAST LINE OF THE FOLLOWING 2 P.I.N.'S 02-33-301-008 AND 02-33-301-013 TO THE SOUTHEAST CORNER OF LOT 1 IN THE OLD SECOND NATIONAL BANK BRIDGE STREET SUBDIVISION; THENCE NORTH ALONG THE EAST LINE OF SAID LOT 1 TO THE SOUTH LINE OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-301-004; THENCE EAST ALONG SAID SOUTH LINE AND SAID SOUTH LINE EXTENDED EAST, TO THE EAST LINE OF HEUSTIS STREET; THENCE NORTH ALONG SAID EAST LINE TO THE SOUTH LINE OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-304-005; THENCE EAST ALONG SAID SOUTH LINE TO THE WEST LINE OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-304-014; THENCE NORTH ALONG SAID WEST LINE TO THE NORTH LINE OF SAID PARCEL; THENCE EAST ALONG SAID NORTH LINE TO THE WEST LINE OF MILL STREET; THENCE EASTERLY TO THE SOUTHEAST CORNER OF MILL STREET AND EAST RIDGE STREET; THENCE NORTH ALONG THE EAST LINE OF MILL STREET TO THE NORTH LINE OF PRICE'S FIRST ADDITION TO YORKVILLE; THENCE EAST ALONG SAID NORTH LINE TO THE EAST LINE OF SAID PRICE'S FIRST ADDITION; THENCE SOUTH ALONG SAID EAST LINE TO AN OLD CLAIM LINE DESCRIBED IN QUIT CLAIM DEED RECORDED JULY 6, 1988 AS DOCUMENT 883256; THENCE SOUTHEASTERLY ALONG SAID OLD CLAIM LINE TO THE WEST LINE OF THE COMMONWEALTH EDISON RIGHT OF WAY; THENCE SOUTH ALONG SAID RIGHT OF WAY TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE EAST ALONG SAID SOUTH LINE TO THE WEST LINE OF KENDALLWOOD ESTATES; THENCE SOUTH ALONG SAID WEST LINE TO THE SOUTHWESTERLY LINE OF SAID KENDALLWOOD ESTATES; THENCE SOUTHEASTERLY, ALONG SAID SOUTHWESTERLY LINE TO THE POINT OF BEGINNING IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

Exhibit B

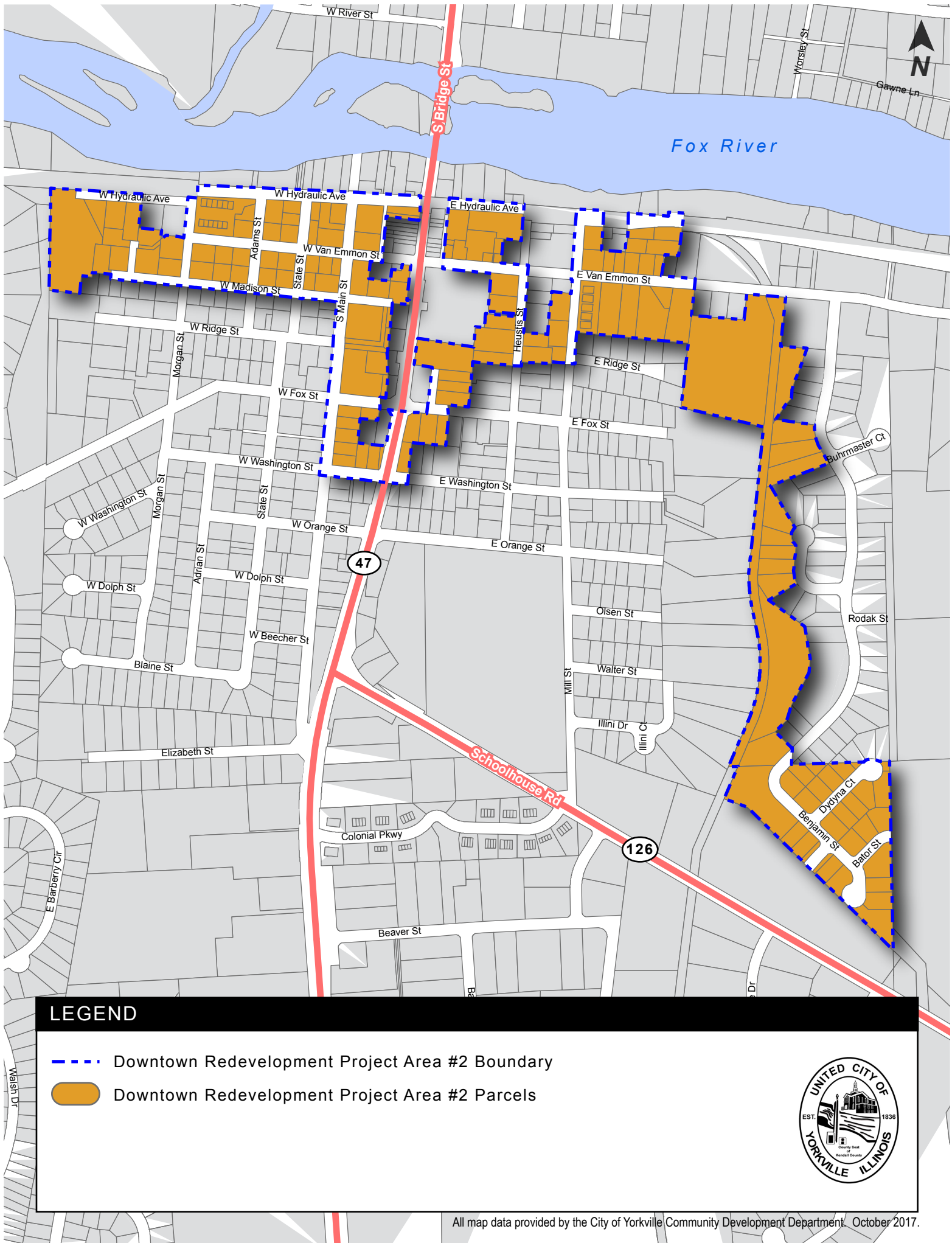


Exhibit C

DOWNOTWN REDEVELOPMENT PROJECT AREA #2**PIN LIST**

02-32-252-001	02-32-292-002	02-33-307-016
02-32-252-003	02-32-429-001	02-33-307-018
02-32-252-004	02-32-429-002	02-33-307-020
02-32-252-005	02-32-429-003	02-33-307-021
02-32-252-006	02-32-429-009	02-33-307-022
02-32-252-008	02-32-429-010	02-33-326-008
02-32-252-010	02-32-433-001	02-32-280-004
02-32-252-011	02-32-433-002	02-32-280-005
02-32-253-001	02-32-433-003	02-32-280-006
02-32-253-002	02-32-433-004	02-32-280-007
02-32-253-003	02-32-433-005	02-32-280-008
02-32-253-004	02-32-433-008	02-32-280-009
02-32-280-002	02-32-433-009	02-33-154-013
02-32-280-003	02-32-433-011	02-33-154-014
02-32-280-010	02-32-433-013	02-33-154-018
02-32-280-011	02-32-434-004	02-33-326-004
02-32-280-012	02-32-434-005	02-33-377-001
02-32-280-013	02-33-154-009	02-33-377-007
02-32-280-014	02-33-154-015	02-33-377-008
02-32-280-015	02-33-154-019	02-33-377-009
02-32-280-016	02-33-154-020	02-33-377-020
02-32-281-001	02-33-154-022	02-33-377-021
02-32-281-002	02-33-154-023	02-33-377-022
02-32-281-003	02-33-156-004	02-33-377-023
02-32-281-006	02-33-156-005	02-33-377-024
02-32-281-007	02-33-156-006	02-33-377-034
02-32-282-001	02-33-156-007	02-33-377-033
02-32-282-003	02-33-156-008	05-04-127-001
02-32-282-004	02-33-156-009	05-04-127-002
02-32-282-005	02-33-156-014	05-04-127-003
02-32-282-006	02-33-156-018	05-04-127-004
02-32-283-001	02-33-157-007	05-04-131-001
02-32-283-002	02-33-157-008	05-04-131-002
02-32-283-003	02-33-158-004	05-04-131-003
02-32-283-004	02-33-177-001	05-04-130-004
02-32-284-001	02-33-177-002	05-04-130-003
02-32-284-002	02-33-177-013	05-04-130-002
02-32-284-003	02-33-178-001	05-04-130-001
02-32-284-004	02-33-301-002	05-04-129-001
02-32-284-005	02-33-301-003	05-04-129-002
02-32-284-006	02-33-301-004	05-04-129-003
02-32-285-001	02-33-301-008	05-04-129-004
02-32-285-002	02-33-301-011	05-04-129-005
02-32-285-003	02-33-301-013	05-04-129-006
02-32-285-004	02-33-301-015	05-04-129-007
02-32-286-001	02-33-302-017	05-04-129-008
02-32-286-002	02-33-302-021	05-04-129-009
02-32-286-003	02-33-304-004	05-04-128-001
02-32-286-004	02-33-304-005	05-04-128-002
02-32-286-005	02-33-304-019	05-04-128-003
02-32-287-001	02-33-304-020	05-04-128-004
02-32-287-005	02-33-307-002	05-04-128-005
02-32-287-007	02-33-307-003	05-04-128-006
02-32-287-008	02-33-307-004	05-04-128-007
02-32-291-001	02-33-307-005	05-04-128-008

DOWNOTWN REDEVELOPMENT PROJECT AREA #2

PIN LIST

02-32-291-002

02-33-307-014

05-04-128-009

AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, ADOPTING TAX INCREMENT ALLOCATION FINANCING FOR THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS DOWNTOWN REDEVELOPMENT PROJECT AREA #2

WHEREAS, it is desirable and in the best interests of the citizens of the United City of Yorkville, Kendall County, Illinois (the “*City*”), for the City to adopt tax increment allocation financing pursuant to the Illinois Tax Increment Allocation Redevelopment Act, as amended, 65 ILCS 5/11-74.4-1, *et seq.* (the “*TIF Act*”); and

WHEREAS, pursuant to the TIF Act, the Mayor and City Council of the City (collectively, the “*Corporate Authorities*”) have heretofore approved the United City of Yorkville, Kendall County, Illinois Downtown Redevelopment Project Area #2 Redevelopment Plan (the “*Plan*”) for the United City of Yorkville, Kendall County, Illinois Downtown Redevelopment Project Area #2 (the “*Project Area*”) as required by the TIF Act by passage of an ordinance and have heretofore designated the Project Area as required by the TIF Act by passage of an ordinance and have otherwise complied with all other conditions precedent required by the TIF Act.

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, as follows:

Section 1. Tax Increment Adoption. The TIF Act is hereby adopted to pay redevelopment project costs, as defined in the TIF Act and as set forth in the Plan, within the Project Area, as legally described in *Exhibit A*, attached hereto and incorporated herein. The map of the Project Area showing the street location is depicted in *Exhibit B*, attached hereto and incorporated herein as if set out in full by this reference.

Section 2. Allocation of Ad Valorem Taxes. Pursuant to the TIF Act, the ad valorem taxes, if any, arising from the levies upon taxable real property in the Project Area by taxing districts and tax rates determined in the manner provided in Section 11-74.4-9(c) of the TIF Act each year after the effective date of this Ordinance until the Plan costs and obligations issued in respect thereto have been paid, shall be divided as follows:

- (a) That portion of taxes levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the lower of the current equalized assessed value or the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the Project Area, shall be allocated to and when collected shall be paid by the county collector to the respective affected taxing districts, in the manner required by law in the absence of the adoption of tax increment allocation financing.
- (b) That portion, if any, of such taxes which is attributable to the increase in the current equalized assessed valuation of each lot, block, tract, or parcel of real property in the Project Area over and above the initial equalized assessed value of each property in the Project Area, shall be allocated to and when collected shall be paid to the municipal treasurer or to his designee, pursuant to Section 207A of the Revenue Act of 1939 of the State of Illinois, as amended, who shall deposit said taxes into a special fund, hereby created, and designated the “Downtown Redevelopment Project Area #2 Special Tax Allocation Fund” of the City, and such taxes shall be used for the purpose of paying Project costs and obligations incurred in the payment thereof.

Section 3. Invalidity of Any Section. If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 4. Superseder and Effective Date. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are repealed to the extent of such conflict, and this Ordinance shall be in full force and effect immediately upon its passage by the Corporate Authorities and approval as provided by law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this _____ day of _____, 2018.

CITY CLERK

CARLO COLOSIMO _____

KEN KOCH _____

JACKIE MILSCHEWSKI _____

ARDEN JOE PLOCHER _____

CHRIS FUNKHOUSER _____

JOEL FRIEDERS _____

SEAVER TARULIS _____

ALEX HERNANDEZ _____

Approved by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this _____ day of _____, 2018.

MAYOR

Attest:

CITY CLERK

Exhibit A

DOWNTOWN REDEVELOPMENT PROJECT AREA #2
LEGAL DESCRIPTION

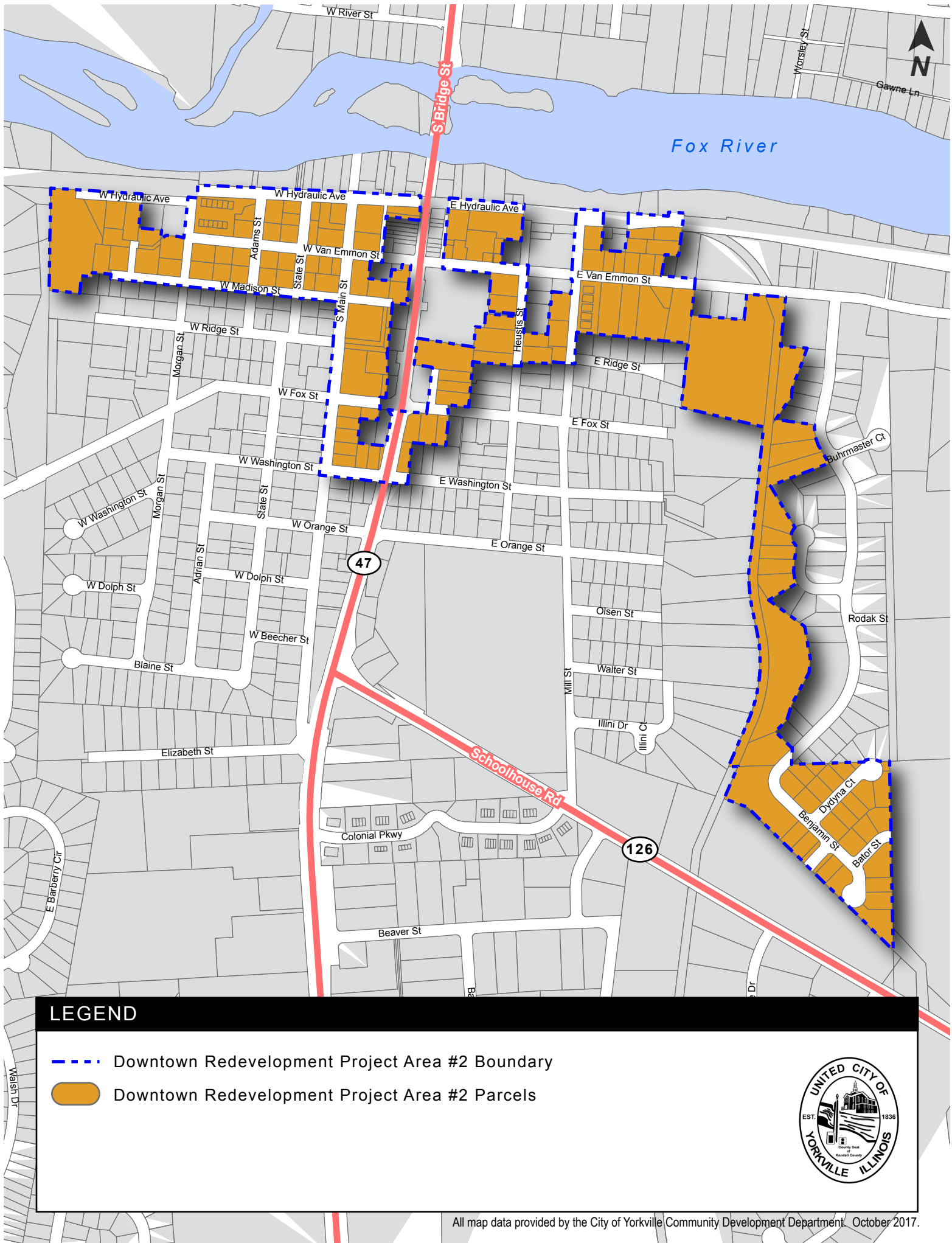
THAT PART OF SECTIONS 32 AND 33, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHERLY CORNER OF LOT 83 IN KENDALLWOOD ESTATES; THENCE NORTH ALONG THE EAST LINE OF SAID KENDALLWOOD ESTATES TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE WESTERLY ALONG THE SAID SOUTH LINE TO THE NORTHERLY LINE OF DYDYNA COURT; THENCE WESTERLY ALONG THE SAID NORTHERLY LINE TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE WESTERLY ALONG SAID SOUTH LINE TO THE SOUTHEASTERLY LINE OF BENJAMIN STREET; THENCE NORTHERLY TO THE SOUTHERLY CORNER OF LOT 5 IN SAID KENDALLWOOD ESTATES; THENCE NORTHWESTERLY ALONG THE SOUTHWEST LINE OF SAID LOT 5 TO THE EASTERLY LINE OF LOT 86 IN SAID KENDALLWOOD ESTATES; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 86 TO THE SOUTHERLY CORNER OF LOT 12 IN SAID KENDALLWOOD ESTATES; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT 12 TO THE WEST LINE OF TOMASIK COURT; THENCE NORTHERLY ALONG SAID WEST LINE TO THE SOUTHERLY MOST CORNER OF LOT 17 IN SAID KENDALLWOOD ESTATES; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID LOT 17 TO THE SOUTHEASTERLY LINE OF LOT 27 IN SAID KENDALLWOOD ESTATES; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT 27 TO THE WESTERLY LINE OF SAID BENJAMIN STREET; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID BENJAMIN STREET TO THE NORTH LINE OF LOT 29 IN SAID KENDALLWOOD ESTATES; THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 29 TO THE EASTERLY LINE OF LOT 84 IN SAID KENDALLWOOD ESTATES; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 84 TO THE NORTH LINE OF SAID LOT 84; THENCE WEST ALONG SAID NORTH LINE TO THE EAST LINE OF THE COMMONWEALTH EDISON RIGHT OF WAY; THENCE NORTH ALONG SAID EAST LINE TO THE SOUTH LINE OF EAST VAN EMMON STREET; THENCE WEST ALONG SAID SOUTH LINE TO THE EAST LINE OF VAN EMMON STREET ADDITION TO YORKVILLE; THENCE SOUTH ALONG SAID EAST LINE TO THE SOUTH LINE OF SAID VAN EMMON STREET ADDITION TO YORKVILLE; THENCE WEST ALONG SAID SOUTH LINE TO THE WEST LINE OF SAID VAN EMMON STREET ADDITION TO YORKVILLE; THENCE NORTH ALONG SAID WEST LINE AND SAID WEST LINE EXTENDED NORTH, TO THE NORTH LINE OF VAN EMMON STREET; THENCE WEST ALONG THE NORTH LINE OF SAID VAN EMMON STREET TO THE WEST LINE OF A PARCEL OF LAND CONVEYED BY DEED RECORDED JULY 3, 1990, AS DOCUMENT 904281; THENCE NORTH ALONG THE WEST LINE OF SAID PARCEL TO THE NORTH LINE OF SAID PARCEL; THENCE EAST ALONG THE NORTH LINE OF SAID PARCEL TO THE WEST LINE OF LOT 12 IN SECTION 33, ACCORDING TO THE PLAT THEREOF RECORDED ON PLAT BOOK 3 AT PAGE 96; THENCE NORTHERLY ALONG SAID WEST LINE TO THE NORTH LINE OF THE ILLINOIS RAILNET RIGHT OF WAY; THENCE WESTERLY ALONG SAID NORTH LINE TO THE NORTHERLY EXTENSION

OF THE EAST LINE OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-156-016; THENCE SOUTHERLY ALONG THE NORTHERLY EXTENSION OF SAID EAST LINE AND THE EAST LINES OF SAID PARCEL TO THE SOUTHERLY MOST CORNER OF SAID PARCEL; THENCE WEST ALONG THE SOUTH LINE OF SAID PARCEL TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE NORTH ALONG THE WEST LINE OF SAID PARCEL TO THE SOUTHWEST CORNER OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-156-017; THENCE NORTH ALONG THE WEST LINE OF SAID PARCEL AND SAID WEST LINE EXTENDED TO THE NORTH LINE OF HYDRAULIC AVENUE; THENCE WEST ALONG SAID NORTH LINE TO THE NORTHERLY EXTENSION OF THE WEST LINE OF MILL STREET; THENCE SOUTH ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF MILL STREET AND THE WEST LINE OF MILL STREET TO THE SOUTH LINE OF LOT 4 IN TER-JAC SUBDIVISION; THENCE WEST ALONG SAID SOUTH LINE TO THE NORTHEAST CORNER OF LOT 2 IN SAID TER-JAC SUBDIVISION; THENCE SOUTH ALONG SAID EAST LINE TO THE SOUTH LINE OF SAID LOT 2; THENCE WEST ALONG SAID SOUTH LINE TO THE WEST LINE OF THE EAST 6 FEET OF LOT I IN SAID TER-JAC SUBDIVISION; THENCE SOUTH ALONG SAID WEST LINE TO THE SOUTH LINE OF SAID LOT 1; THENCE WEST ALONG SAID SOUTH LINE TO THE EAST LINE OF HEUSTIS STREET; THENCE NORTH ALONG SAID EAST LINE TO THE NORTH LINE OF EAST VAN EMMON STREET; THENCE WEST ALONG SAID NORTH LINE TO THE WEST LINE OF A PARCEL OF LAND DESCRIBED IN TRUSTEE'S DEED DATED JANUARY 23, 2002 AND RECORDED AS DOCUMENT 200200002291; THENCE NORTH ALONG SAID WEST LINE TO THE NORTH LINE OF SAID PARCEL; THENCE EAST ALONG SAID NORTH LINE TO THE WEST LINE OF HEUSTIS STREET; THENCE NORTH ALONG SAID WEST LINE AND ALONG THE NORTHERLY EXTENSION THEREOF TO THE NORTH LINE OF SAID EAST HYDRAULIC AVENUE; THENCE WEST ALONG SAID NORTH LINE TO THE EAST LINE, EXTENDED NORTH, OF THE 20' ALLEY RUNNING THROUGH BLOCK SIX OF BLACKS ADDITION TO YORKVILLE; THENCE SOUTH ALONG SAID EAST LINE EXTENDED NORTH AND SAID EAST LINE TO THE SOUTH LINE OF EAST VAN EMMON STREET; THENCE EAST ALONG SAID SOUTH LINE TO THE NORTHEAST CORNER OF LOT 2 IN THE OLD SECOND NATIONAL BANK BRIDGE STREET SUBDIVISION; THENCE FOLLOWING A CLOCKWISE DIRECTION AROUND THE PERIMETER OF SAID LOT 2 TO THE EAST LINE OF ROUTE 47; THENCE SOUTH ALONG SAID EAST LINE TO THE SOUTH LINE OF LOT 1 IN SAID SUBDIVISION; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 1 TO A BEND POINT IN SAID SOUTH LINE; THENCE SOUTH ALONG A WEST LINE OF SAID LOT 1 TO THE NORTHWEST CORNER OF BELL STREET; THENCE SOUTH ALONG THE WEST LINE OF BELL STREET AND THE WEST LINE OF BELL STREET EXTENDED SOUTH TO THE SOUTH LINE OF EAST FOX STREET; THENCE WESTERLY, ON SAID SOUTH LINE, TO THE WEST LINE OF ILLINOIS ROUTE 47; THENCE SOUTHERLY, ON SAID WEST LINE, TO THE SOUTH LINE OF PARCEL TWO, DESCRIBED IN DEED RECORDED JULY 25, 2003 AS DOCUMENT NUMBER 200300025623; THENCE WESTERLY ON SAID SOUTH LINE AND ON THE SOUTH LINE OF PARCEL DESCRIBED IN DEED RECORDED FEBRUARY 1, 2010 AS DOCUMENT NUMBER 201000002076 TO THE WEST LINE OF LOT 5 IN BLOCK 11 IN THE ORIGINAL VILLAGE OF YORKVILLE; THENCE NORTHERLY, ON SAID WEST LINE AND ON THE WEST LINE OF LOT 4 IN SAID BLOCK 11 TO THE SOUTH LINE OF LOT 1 IN SAID BLOCK 11; THENCE EASTERLY, ON THE SOUTH LINE OF SAID LOT 1 TO THE WEST LINE OF AFORESAID PARCEL TWO, DESCRIBED IN DEED RECORDED JULY 25, 2003 AS DOCUMENT NUMBER 200300025623; THENCE NORTHERLY, ON SAID WEST LINE, TO THE SOUTH LINE OF WEST FOX STREET; THENCE NORTHERLY TO THE SOUTHWEST CORNER OF THE

EASTERLY 30 FEET OF LOT 7 IN BLOCK 14 IN THE ORIGINAL VILLAGE OF YORKVILLE; THENCE EASTERLY, ON THE SOUTH LINE OF SAID LOT 7, 30 FEET TO THE EAST LINE OF SAID LOT 7; THENCE NORTHERLY ON THE EAST LINE OF SAID LOT 7 AND ON THE EAST LINE OF LOT 6 IN SAID BLOCK 14 TO THE NORTH LINE OF SAID LOT 6; THENCE WESTERLY ON SAID NORTH LINE TO THE EAST LINE OF A PARCEL WITH A PIN OF 02-32-429-002 AND OWNED BY THE COUNTY OF KENDALL; THENCE NORTHERLY, ON THE EAST LINE OF SAID PARCEL TO THE SOUTHEAST CORNER OF VACATED RIDGE STREET; THENCE NORTHERLY ON THE EAST LINE OF SAID VACATED RIDGE STREET TO THE EAST LINE OF VACATED JEFFERSON STREET; THENCE NORTHERLY ON SAID EAST LINE TO THE SOUTH LINE OF A PARCEL DESCRIBED IN WARRANTY DEED RECORDED SEPTEMBER 1, 1995 AS DOCUMENT NUMBER 9506986; THENCE EASTERLY, ON SAID SOUTH LINE, SAID LINE BEING THE CENTERLINE OF VACATED MADISON STREET TO THE EAST LINE OF SAID PARCEL, BEING ALSO THE WEST LINE OF ILLINOIS ROUTE 47; THENCE NORTHERLY, ON THE EAST LINE OF SAID PARCEL TO THE NORTH LINE OF SAID PARCEL, BEING ALSO THE SOUTH LINE OF VAN EMMON STREET; THENCE WESTERLY, ON SAID NORTH LINE, TO THE WEST LINE OF SAID PARCEL; THENCE SOUTHERLY ON SAID WEST LINE TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 6 IN BLOCK 28 IN SAID ORIGINAL VILLAGE OF YORKVILLE; THENCE WESTERLY, ON SAID EASTERLY EXTENSION AND ON THE SOUTH LINE OF LOTS 5 AND 6 IN SAID BLOCK 28, 125 FEET MORE OR LESS TO THE EAST LINE OF LOT 3 IN SAID BLOCK; THENCE NORTHERLY ON SAID EAST LINE AND ON THE EAST LINE OF LOT 4, 100 FEET, MORE OR LESS, TO THE NORTH LINE OF LOT 5 IN SAID BLOCK; THENCE EASTERLY ON THE NORTH LINE OF SAID LOTS 5 AND 6 IN SAID BLOCK 28 TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 6 IN BLOCK 1 IN BLACKS ADDITION; THENCE NORTHERLY ON SAID SOUTHERLY EXTENSION AND ON THE WEST LINE OF LOTS 6, 12, 11 AND 10 IN SAID BLOCK 1 TO THE SOUTH LINE OF THE NORTH HALF OF LOT 10; THENCE EASTERLY ON SAID SOUTH LINE AND ON THE SOUTH LINE OF THE NORTH HALF OF LOT 2 IN SAID BLOCK 1 TO THE WEST LINE OF ROUTE 47; THENCE NORTHERLY ON SAID WEST LINE TO THE NORTH LINE OF WEST HYDRAULIC AVENUE; THENCE WESTERLY, ON SAID NORTH LINE TO THE NORTHERLY EXTENSION OF THE EAST LINE OF MORGAN STREET; THENCE SOUTHERLY ON SAID NORTHERLY EXTENSION TO THE NORTH LINE OF WEST HYDRAULIC AVENUE; THENCE WESTERLY, ON SAID NORTH LINE TO THE NORTHERLY EXTENSION OF THE WEST LINE OF MORGAN STREET; THENCE SOUTHERLY, ON SAID NORTHERLY EXTENSION AND ON THE WEST LINE OF SAID MORGAN STREET TO THE SOUTH LINE OF THE NORTH HALF OF VACATED VAN EMMON STREET. THENCE WESTERLY, ON SAID SOUTH LINE TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 2 IN BLOCK 24 IN BLACKS SECOND ADDITION; THENCE NORTHERLY, ON SAID SOUTHERLY EXTENSION AND ON THE WEST LINE OF SAID LOT 2 TO THE SOUTH LINE OF THE NORTHERLY 143 FEET OF LOTS 3 AND 4 IN SAID BLOCK 24; THENCE WESTERLY, ON SAID SOUTH LINE TO THE WEST LINE OF SAID LOT 4; THENCE NORTHERLY, ON SAID WEST LINE AND ON THE NORTHERLY EXTENSION OF SAID WEST LINE, TO THE NORTH LINE OF WEST HYDRAULIC AVENUE; THENCE WESTERLY, ON SAID NORTH LINE, TO THE EAST LINE OF WHITE OAK FARM UNIT 1; THENCE SOUTHERLY, ON SAID EAST LINE, TO THE SOUTH LINE OF PARCEL TWO, DESCRIBED IN TRUSTEES DEED RECORDED MARCH 5, 2004 AS DOCUMENT 200400005336; THENCE EASTERLY, ON SAID SOUTH LINE TO THE WEST LINE OF PARCEL 3, DESCRIBED IN WARRANTY DEED, RECORDED OCTOBER 11, 2012 AS DOCUMENT NUMBER 201200019862; THENCE NORTHERLY, ON SAID WEST LINE, 100 FEET MORE OR LESS TO THE

WESTERLY EXTENSION OF THE SOUTH LINE OF MADISON STREET; THENCE EASTERLY, ON SAID WESTERLY EXTENSION TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 3 IN BLOCK 23 IN BLACKS SECOND ADDITION; THENCE NORTHERLY, ON SAID SOUTHERLY EXTENSION TO THE NORTH LINE OF THE SOUTH HALF OF VACATED MADISON STREET; THENCE EASTERLY, ON SAID NORTH LINE TO THE NORTHERLY EXTENSION OF THE EAST LINE OF LOT 7 IN BLOCK 21 IN SAID BLACKS SECOND ADDITION; THENCE SOUTHERLY, ON SAID NORTHERLY EXTENSION TO THE SOUTH LINE OF WEST MADISON STREET; THENCE EASTERLY, ON SAID SOUTH LINE TO THE WEST LINE OF SAID SOUTH MAIN STREET; THENCE SOUTHERLY, ON SAID WEST LINE TO THE SOUTH LINE OF WEST WASHINGTON STREET; THENCE EAST ALONG SAID SOUTH LINE AND ALONG THE SOUTH LINE OF EAST WASHINGTON STREET TO THE WEST LINE OF THE EAST 10 FEET OF LOT 10 IN BLOCK 5 OF MASON'S ADDITION TO THE TOWN OF YORKVILLE, EXTENDED SOUTH; THENCE NORTH ALONG SAID WEST LINE EXTENDED AND SAID WEST LINE TO THE SOUTH LINE OF LOT 5 IN SAID BLOCK 5; THENCE EAST ALONG SAID SOUTH LINE AND THE SOUTH LINES OF LOTS 2, 3 AND 4 IN SAID BLOCK 5 TO THE EAST LINE OF SAID LOT 2; THENCE NORTH ALONG SAID EAST LINE AND SAID EAST LINE EXTENDED NORTH TO THE NORTH LINE OF EAST FOX STREET; THENCE EAST ALONG SAID NORTH LINE TO THE EAST LINE OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-301-011; THENCE NORTH ALONG SAID EAST LINE AND THE EAST LINE OF THE FOLLOWING 2 P.I.N.'S 02-33-301-008 AND 02-33-301-013 TO THE SOUTHEAST CORNER OF LOT 1 IN THE OLD SECOND NATIONAL BANK BRIDGE STREET SUBDIVISION; THENCE NORTH ALONG THE EAST LINE OF SAID LOT 1 TO THE SOUTH LINE OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-301-004; THENCE EAST ALONG SAID SOUTH LINE AND SAID SOUTH LINE EXTENDED EAST, TO THE EAST LINE OF HEUSTIS STREET; THENCE NORTH ALONG SAID EAST LINE TO THE SOUTH LINE OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-304-005; THENCE EAST ALONG SAID SOUTH LINE TO THE WEST LINE OF A PARCEL OF LAND WITH A P.I.N. OF 02-33-304-014; THENCE NORTH ALONG SAID WEST LINE TO THE NORTH LINE OF SAID PARCEL; THENCE EAST ALONG SAID NORTH LINE TO THE WEST LINE OF MILL STREET; THENCE EASTERLY TO THE SOUTHEAST CORNER OF MILL STREET AND EAST RIDGE STREET; THENCE NORTH ALONG THE EAST LINE OF MILL STREET TO THE NORTH LINE OF PRICE'S FIRST ADDITION TO YORKVILLE; THENCE EAST ALONG SAID NORTH LINE TO THE EAST LINE OF SAID PRICE'S FIRST ADDITION; THENCE SOUTH ALONG SAID EAST LINE TO AN OLD CLAIM LINE DESCRIBED IN QUIT CLAIM DEED RECORDED JULY 6, 1988 AS DOCUMENT 883256; THENCE SOUTHEASTERLY ALONG SAID OLD CLAIM LINE TO THE WEST LINE OF THE COMMONWEALTH EDISON RIGHT OF WAY; THENCE SOUTH ALONG SAID RIGHT OF WAY TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE EAST ALONG SAID SOUTH LINE TO THE WEST LINE OF KENDALLWOOD ESTATES; THENCE SOUTH ALONG SAID WEST LINE TO THE SOUTHWESTERLY LINE OF SAID KENDALLWOOD ESTATES; THENCE SOUTHEASTERLY, ALONG SAID SOUTHWESTERLY LINE TO THE POINT OF BEGINNING IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

Exhibit B





Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

New Business #10

Tracking Number

EDC 2018-32

Agenda Item Summary Memo

Title: UPDATE: Manufacturing and Industrial City Council Goal Action Plan

Meeting and Date: Economic Development Committee – April 3, 2018

Synopsis: See Memo.

Council Action Previously Taken:

Date of Action: N/A Action Taken:

Item Number:

Type of Vote Required: N/A

Council Action Requested: N/A

Submitted by: Erin Willrett
Name

Administration
Department

Agenda Item Notes:

Previously discussed at the Economic Development Committee on February 6, 2018.



Memorandum

To: Economic Development Committee
From: Erin Willrett, Assistant City Administrator
CC: Bart Olson, City Administrator
Date: April 3, 2018
Subject: UPDATE - Manufacturing and Industrial City Council Goal Action Plan

Summary

Review of staff proposals for action plans related to the City Council's highest priority goal, Manufacturing and Industrial development.

Update

At the February 6, 2018 Economic Development Committee received the below update on the Manufacturing and Industrial City Council Goal along with an Action Plans. There has been an update since that meeting regarding the BNSF Site Certification process. The update is summarized below.

Staff had a conference call with the Manager of Economic Development of BNSF, who is also the Manager of the Site Certification Program. She reviewed the items that BNSF considers important for Certification, which include level of readiness, availability of rail, size and location. Once selected, BNSF conducts an in-depth review of the sites to determine if they meet the readiness standards, which are intended to minimize development risks and increase speed to market. Some of the key requirements for the site certification program include:

- Documentation of site ownership
- Commitment of site availability
- Detailed description of site and survey by qualified professional
- Letters from utility providers summarizing their capability to provide industrial services
- Report that delineates all bodies of water on and near site
- Phase 1 Environmental Site Assessment
- Cultural report/study
- Endangered Species study to determine presence of any animal or plant species designated as endangered or threatened under US and state laws
- Rail and Road access

Of those items listed above, there are two hurdles to this certification that staff was unaware of until the conference call.

1. The program is eligible for property owners. The City must own the site or the property owner must be the primary applicant.
2. The property must have a Phase 1 Environmental Site Assessment completed.

Because of the significant undertaking and/or costs of both of the large hurdles, staff is recommending pivoting the BNSF Certification process. Instead of the City being the applicant, staff will work with the property owners of the parcels to educate them on the benefit of the certification process. Staff will

assist the property owner(s) with the application process and studies that would need to be completed prior to submittal. Thus the redesigned action plan for the BNSF Site Certification is:

- a. Continue with information gathering on the BNSF Site Certification Process. The next steps include meeting with BNSF Officials, and then Wrigley and Lincoln Prairie representatives to educate them about the benefits of the program and steps for which the City can assist. Provided both landowners are supportive of the program, the site certification process takes 1-2 years to complete.

Recommendation

Staff is requesting feedback on the amended action plan.



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

New Business #11

Tracking Number

EDC 2018-33

Agenda Item Summary Memo

Title: Goal 1 – Manufacturing and Industrial Action Plan - YBSD

Meeting and Date: Economic Development Committee - April 3, 2018

Synopsis: Discussion will take place at the meeting.

Council Action Previously Taken:

Date of Action: N/A Action Taken: _____

Item Number: _____

Type of Vote Required: _____

Council Action Requested: _____

Submitted by: Bart Olson Administration
Name Department

Agenda Item Notes:

Have a question or comment about this agenda item?

Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville, tweet us at @CityofYorkville, and/or contact any of your elected officials at http://www.yorkville.il.us/gov_officials.php