

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2009-063

AN ORDINANCE REPEALING ORDINANCE 2009-053 WHICH AMENDED
ORDINANCE 2007-31 GRANTING CERTAIN APPROVALS FOR PROPERTY
COMMONLY KNOWN AS VERNON HILLS TOWN CENTER PUD LOCATED AT
THE INTERSECTION OF ROUTE 45 AND MILWAUKEE AVENUE, IN THE
VILLAGE OF VERNON HILLS, LAKE COUNTY.

THE 15TH DAY OF DECEMBER 2009

Published in pamphlet form by the
Authority of the President and Board
Of Trustees of the Village of Vernon
Hills, Lake County, Illinois, this 16th
Day of December 2009

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2009-053 WHICH AMENDED ORDINANCE
2007-31 GRANTING CERTAIN APPROVALS
FOR PROPERTY COMMONLY KNOWN AS
VERNON HILLS TOWN CENTER PUD
LOCATED AT THE INTERSECTION OF
ROUTE 45 AND MILWAUKEE AVENUE, IN
THE VILLAGE OF VERNON HILLS, LAKE
COUNTY.**

WHEREAS, Stacy Taxman of The Taxman Corporation representing VHTC.LLC (“Developer”), in regard to property commonly known as Vernon Hills Town Center PUD, had previously petitioned the Village of Vernon Hills to amend to the PUD and development agreement previously granted pursuant to Ordinance 2007-31 for the Vernon Hills Town Center PUD to allow minor changes to the approved building elevations for structure commonly known as The Commons at Town Center Building located on Lot 3 in the Vernon Hills Town Center Subdivision, legally described in Exhibit A and being the northwest corner of Route 45 and Milwaukee Avenue; and

WHEREAS, the change of the approved elevations were to have included the addition of new cornice details along the parapet walls; and

WHEREAS, the proposed architectural style and quality of the proposed changes were generally consistent with the approved PUD; and

WHEREAS, the Board felt that the proposed amendment would support the intent and concept of the PUD while the architectural style of the building remained consistent with the approved in the PUD; and

WHEREAS, the Board approved Ordinance 2009-053 which granted approval of the proposed changes to the approved elevations for The Commons at Town Center Building; and

WHEREAS, the Developer, having reviewed the overall cost of said exterior building changes, has sent a letter to the Village dated November 24, 2009 indicating that the Developer cannot undertake these improvements at this time due to the cost of said improvements and requesting that the Village repeal Ordinance 2009-053; and

WHEREAS, if said repeal of Ordinance 2009-053 is approved, the Developer will be required to generally comply with the plans as approved in Ordinance 2007-031 and the plans in the approved building permit.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION I: Pursuant to the request by the Developer, Ordinance 2009-053 is hereby repealed.

SECTION II: The Developer shall generally comply with the building elevations and related materials as setforth in Ordinance 2007-31 and the plans in the approved building permit except as otherwise provided herein.

SECTION III: PENALTY. Any person violating the terms and conditions of this Ordinance shall be subject to a penalty as provided in Appendix C of the Village Code of Ordinance.

SECTION IV: SEVERABILITY. In the event that any section, clause, provision or part of this Ordinance shall be found and finally determined to be invalid by a Court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect. If any part of this Ordinance is found to be invalid in any one or more of its applications, all valid applications that are severable from the invalid applications shall remain in effect.

SECTION V: REPEAL AND SAVINGS CLAUSE. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions or causes of action which shall have accrued to the Village of Vernon Hills prior to the effective date of this ordinance.

SECTION VI: EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

SECTION VII. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2009-063.

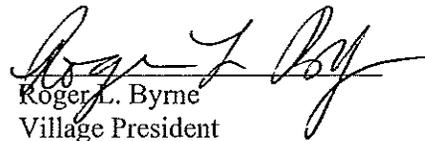
Adopted by roll call vote as follows:

AYES: 5-Williams, Hebda, Koch, Marquardt, Byrne

NAYS: 0-None

PRESENT: 1-Schultz

ABSENT AND NOT VOTING: 1-Schwartz


Roger L. Byrne
Village President

PASSED: 12/15/2009

APPROVED: 12/15/2009

PUBLISHED IN PAMPHLET FORM: 12/16/2009

ATTEST:

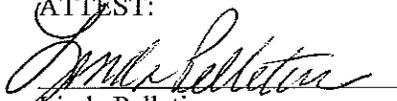

Linda Pelletier
Village Clerk



EXHIBIT A

Legal Description

Lot 3 in Vernon Hills Town Center Subdivision, being a subdivision of part of the south half of Section 15, Township 43 North, Range 11, east of the third principal meridian, Lake County, Illinois

EXHIBIT B

- Letter from Stacy Taxman of The Taxman Corporation dated November 24, 2009

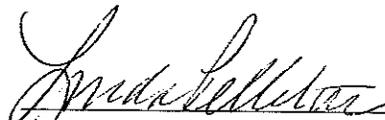
STATE OF ILLINOIS)
)
COUNTY OF LAKE)

CERTIFICATE

I, LINDA PELLETIER, CERTIFY THAT I AM THE DULY APPOINTED AND ACTING VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS. I FURTHER CERTIFY THAT ON DECEMBER 15, 2009, THE CORPORATE AUTHORITIES OF SUCH MUNICIPALITY PASSED AND APPROVED ORDINANCE 2009-063, AN ORDINANCE REPEALING ORDINANCE 2009-053 WHICH AMENDED ORDINANCE 2007-31 GRANTING CERTAIN APPROVALS FOR PROPERTY COMMONLY KNOWN AS VERNON HILLS TOWN CENTER PUD LOCATED AT THE INTERSECTION OF ROUTE 45 AND MILWAUKEE AVENUE, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY.

THE PAMPHLET FOR ORDINANCE NO. 2009-063, INCLUDING THE ORDINANCE AND A COVER SHEET THEREOF WAS PREPARED, AND A COPY OF SUCH ORDINANCE WAS POSTED IN THE VILLAGE HALL, COMMENCING DECEMBER 16, 2009 AND CONTINUING FOR AT LEAST TEN DAYS THEREAFTER. COPIES OF SUCH ORDINANCE WERE ALSO AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST IN THE OFFICE OF THE VILLAGE CLERK.

DATED IN VERNON HILLS, ILLINOIS, THIS 16TH DAY OF DECEMBER 2009.


LINDA PELLETIER, VILLAGE CLERK



AFFIDAVIT OF SERVICE

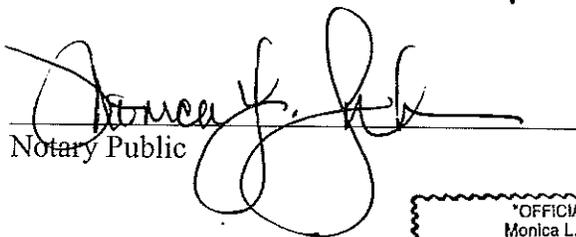
STATE OF ILLINOIS)
)
COUNTY OF LAKE)

I, LINDA PELLETIER, BEING FIRST DULY APPOINTED, DEPOSES AND SAYS ON OATH THAT AS VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, SHE DID CAUSE THE FOREGOING CERTIFICATE FOR ORDINANCE 2009-063, AN ORDINANCE REPEALING ORDINANCE 2009-053 WHICH AMENDED ORDINANCE 2007-31 GRANTING CERTAIN APPROVALS FOR PROPERTY COMMONLY KNOWN AS VERNON HILLS TOWN CENTER PUD LOCATED AT THE INTERSECTION OF ROUTE 45 AND MILWAUKEE AVENUE, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY.



LINDA PELLETIER, VILLAGE CLERK

SUBSCRIBED AND SWORN to Before
Me this 12 day of January, 2010



Notary Public

