

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2013-041

AN ORDINANCE AMENDING ORDINANCE 2006-19 GRANTING CERTAIN APPROVALS TO MODIFY THE GREENLEAF TOWNHOMES FINAL PLANNED UNIT DEVELOPMENT PLAT LOCATED ON THE SOUTH SIDE OF GREENLEAF DRIVE BETWEEN TENNYSON PLACE AND SWINEBURN PLACE, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY (GREEN MEADOW SUBDIVISION)

THE 13th DAY OF AUGUST, 2013

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 August, 2013

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**AN ORDINANCE AMENDING ORDINANCE
2006-19 GRANTING CERTAIN APPROVALS
TO MODIFY THE GREENLEAF
TOWNHOMES FINAL PLANNED UNIT
DEVELOPMENT PLAT LOCATED ON THE
SOUTH SIDE OF GREENLEAF DRIVE
BETWEEN TENNYSON PLACE AND
SWINEBURN PLACE, IN THE VILLAGE OF
VERNON HILLS, LAKE COUNTY (GREEN
MEADOW SUBDIVISION)**

WHEREAS, John McFarland of Chicago Capital Holdings, LLC (Petitioner), representing Vernon 16, LLC in regard to properties legally described in Exhibit A, has petitioned the Village of Vernon Hills to amend the Final Planned Unit Development plat for the property formerly known as Greenleaf Townhomes; and

WHEREAS, the Petitioner is proposing to amend the final Planned Unit Development plat as shown in the proposed plat for Green Meadow Subdivision, said Plat is attached in Exhibit B; and

WHEREAS, in 2006, the Village Board approved Ordinance 2006-19, said Ordinance is attached in Exhibit C, creating The Greenleaf Townhomes PUD which authorized the construction of 16 townhomes on a private road located off Greenleaf Drive; and

WHEREAS, Ordinance 2006-19 approved the Green Meadow plat of subdivision for the property which created the required easements for utilities and ingress/egress; and

WHEREAS, the proposed buildings containing the 16 townhomes were located within Non-Easement Areas (NEAs) instead of platted lots; and

WHEREAS, the Petitioner is requesting approval to revise Final Planned Unit Development plat to create five (5) lots which will contain the townhome buildings and Outlot A which will contain all common area including the private road; and

WHEREAS, the Petitioner is proposing to build out the project and sell the units as fee simple townhomes instead of townhomes originally platted as condominiums; and

WHEREAS, what the Petitioner is proposing will allow the sale of an individual unit and that portion of the land the unit is located on to a person while the Common Area will be held by the homeowners association; and

WHEREAS, Article 20 of the Zoning Ordinance (Planned Unit Developments) Subsection 20.2.5.1 addresses "Insubstantial" changes to a Final Planned Unit

Development plat and requires that the final plat shall conform substantially to the approved preliminary plat; and

WHEREAS, Article 20 further provides that the Village Board shall find that any modifications to the Final Planned Unit Development plat do not change the concept or intent of the preliminary plat, increase the density by more than 5%, decrease the amount of common open space, and change by more than 5% the total ground area covered by buildings or structures; and

WHEREAS, the proposed Green Meadow Subdivision meets the requirements of Subsection 20.2.5.1 and does not impact the Final Planned Unit Development plat; and

WHEREAS, based upon the evidence presented, the Village Board finds that the proposed amendment to the final Planned Unit Development plat as set forth in the proposed plat for Green Meadow Subdivision are "Insubstantial" as established in Subsection 20.2.5.1 of the Zoning Ordinance and conforms with the approved preliminary plat.

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

SECTION I. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, the amendment of the final planned unit development plat as set forth in Green Meadow Subdivision is hereby approved subject to the conditions listed below:

- a. The Village Attorney's approval of the Declaration of Covenants, Conditions, Restrictions, Easements and Party Wall Rights prior to issuance of a building permit; and
- b. The developer providing the necessary financial guarantee which would protect the existing subdivision improvements from damage during construction.
- c. The conditions as previously approved in Ordinance 2006-19 would apply to the Petitioner and Vernon 16, LLC and remain in full force and effect.
- d. The approved plat shall generally comply with the plat entitled Green Meadow Subdivision prepared by Landmark Engineering LLC consisting of 1 page with a stamped received date of July 9, 2013. Said Plat is attached in Exhibit B.
- e. The developer shall execute an agreement setting forth the responsibilities regarding completing the public improvements in a form deemed acceptable to the Village Attorney. Said agreement shall be executed prior to issuance of a building permit.

Said parcel is legally described in Exhibit A.

Said Ordinance 2006-19 is attached in Exhibit C.

SECTION II. SEVERABILITY. In the event that any section, clause, provision, or part of this ordinance shall be found and 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 several applications, all valid applications that are severable from the invalid applications shall remain in effect.

SECTION III. 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 IV. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

SECTION V. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2013-041.

Adopted by roll call vote as follows:

AYES: 6 – Williams, Hebda, Koch, Marquardt, Schultz, Schwartz

NAYS: 0 - None

ABSENT AND NOT VOTING: 0 - None



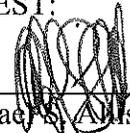
Roger L. Byrne
Village President

PASSED: 8/13/2013

APPROVED: 8/13/2013

PUBLISHED IN PAMPHLET FORM: 8/16/2013

ATTEST:



Michael S. Wilson
Village Clerk

EXHIBIT A

Legal Description

EXHIBIT A
ORDINANCE 2013-041

LEGAL DESCRIPTION

Lot 41 and part of Lot 40 in New Century Town Site 7 and Park 8-2, unit thirteen, being a subdivision of part of Section 32, Township 44 North, Range 11 East of the Third Principal Meridian, according to the plat thereof, recorded August 29, 1978 as document 1941939; said part of Lot 40 being described as follows: Beginning at the Northwesterly corner of Lot 41 in said New Century Town Site 7 and Park 8-2 unit thirteen, being also a Northeasterly corner of said Lot 40; thence South 31 Degrees 28 Minutes 28 Seconds East along the Southwesterly line of said Lot 41, also being a Northeasterly line of said Lot 40, a distance of 420.00 feet; thence North 58 Degrees 31 Minutes 32 Seconds East along the Southeasterly line of said Lot 41; also being a North westerly line of said Lot 40, a distance of 180.00 feet; thence South 31 Degrees 28 Minutes 28 Seconds west, 19.00 feet; thence South 58 Degrees 31 Minutes 32 Seconds west, 177.27; thence North 76 Degrees 28 Minutes 28 Seconds west 30.72 feet; thence North 31 Degrees 28 Minutes 28 Seconds west 417.27 feet to a point on a North westerly line of said Lot 40; thence North 58 Degrees 51 Minutes 32 Seconds East along said North westerly line of said Lot 40. A distance of 19.00 feet, to the place of beginning, all in Lake County, Illinois.

EXHIBIT B

Green Meadow Subdivision

RECEIVED

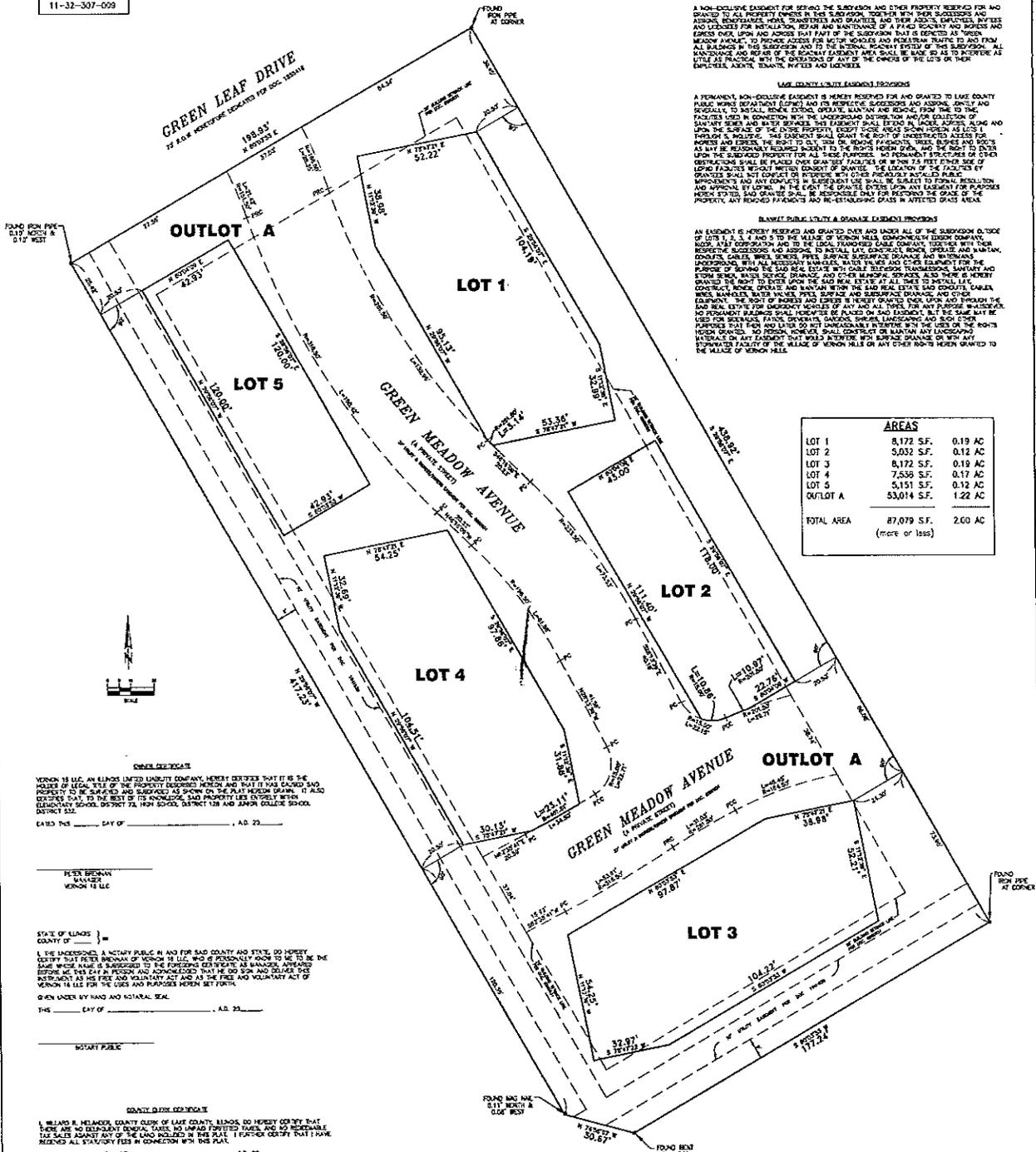
JUL 9 2013

COMMUNITY DEVELOPMENT
DEPARTMENT

GREEN MEADOW SUBDIVISION

BEING A SUBDIVISION IN THE SOUTH HALF OF SECTION 32, TOWNSHIP 44 NORTH, RANGE 11 EAST
OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF VERNON HILLS, COOK COUNTY, ILLINOIS.

PROPERTY BOOK NUMBER
11-32-307-009



EASEMENT PROVISIONS FOR ACCESS & EGRESS

A NON-EXCLUSIVE EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY RESERVED FOR AND GRANTED TO ALL PROPERTY OWNERS IN THIS SUBDIVISION, TOGETHER WITH THEIR SUCCESSORS AND ASSIGNS, HEIR-AT-LAW, PERSONAL REPRESENTATIVES, AND OTHERS, TO USE THE EASEMENT, DRIVEWAYS AND LOTS FOR INSTALLATION, REPAIR AND MAINTENANCE OF A PAVED DRIVEWAY AND DRIVE AND EGRESS OVER, UPON AND ACROSS THAT PART OF THE SUBDIVISION THAT IS DESIGNATED AS GREEN MEADOW AVENUE, TO PROVIDE ACCESS FOR MOTOR VEHICLES AND PEDESTRIAN TRAFFIC TO AND FROM ALL BUILDINGS IN THIS SUBDIVISION AND TO THE GENERAL HIGHWAY SYSTEM OF THIS SUBDIVISION. ALL MAINTENANCE AND REPAIR OF THE DRIVEWAY SYSTEM SHALL BE MADE AS TO INTERFERE AS LITTLE AS PRACTICAL WITH THE OPERATION OF ANY OF THE OWNERS OF THE LOTS OR THEIR EMPLOYEES, AGENTS, TENANTS, PURVEYORS AND LICENSEES.

LAND UTILITY EASEMENT PROVISIONS

A PERMANENT, NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO LAKE COUNTY PUBLIC WORKS DEPARTMENT AND ITS SUCCESSORS, SUCCESSORS AND ASSIGNS, OFFICERS AND AGENTS, TO INSTALL, MAINTAIN, OPERATE, MAINTAIN AND REMOVE FROM THE LOTS, THE FACILITIES USED IN CONNECTION WITH THE UNDERGROUND WATER TAP AND COLLECTION OF SANITARY SEWER AND WATER SERVICES. THIS EASEMENT SHALL EXTEND IN ACRES, ALONG AND UPON THE SURFACE OF THE LOTS AND PROPERTY, EXCEPT THOSE AREAS SHOWN AS LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 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, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 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598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

AREAS	
LOT 1	8,172 S.F. 0.19 AC
LOT 2	5,032 S.F. 0.12 AC
LOT 3	8,172 S.F. 0.19 AC
LOT 4	7,538 S.F. 0.17 AC
LOT 5	5,151 S.F. 0.12 AC
OUTLOT A	53,014 S.F. 1.22 AC
TOTAL AREA	87,079 S.F. 2.00 AC
	(more or less)

VERNON HILLS, ILL. AN ILLINOIS LIMITED LIABILITY COMPANY, HEREBY CERTIFIES THAT IT IS THE HOLDER OF LEGAL TITLE OF THE PROPERTY DESCRIBED HEREON AND THAT IT HAS CAUSED SAID PROPERTY TO BE SURVEYED AND SUBDIVIDED AS SHOWN ON THE PLAT HEREON DRAWN. IT ALSO CERTIFIES THAT TO THE BEST OF ITS KNOWLEDGE, SAID PROPERTY LIES ENTIRELY WITHIN ELEMENTARY SCHOOL DISTRICT 74, HIGH SCHOOL DISTRICT 138 AND JUNIOR COLLEGE SCHOOL DISTRICT 522.

DATED THIS _____ DAY OF _____, A.D. 20____.

HELEN BENNING
MANAGER
VERNON HILLS ILL.

STATE OF ILLINOIS }
COUNTY OF COOK }

I, MARK H. LANCASTER, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, DO HEREBY CERTIFY THAT HELEN BENNING OF VERNON HILLS, ILL., WHO IS PERSONALLY KNOWN TO ME TO BE THE SAID WIFE WHOSE NAME IS SUBSCRIBED TO THE FOREGOING CERTIFICATE AS MANAGER, AUTHORIZED BEFORE ME, HAS CAPACITOUS AND KNOWLEDGEBLY SIGNED THE SAID DEED AND DELIVERED THE SAME TO ME AS HIS FREE AND VOLUNTARY ACT AND IN THE PRESENCE AND VOLUNTARY ACT OF VERNON HILLS ILL. FOR THE USES AND PURPOSES HEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL
THIS _____ DAY OF _____, A.D. 20____.

NOTARY PUBLIC

COUNTY CLERK CERTIFICATE

I, WILLIAM R. HELMOLD, COUNTY CLERK OF LAKE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO UNPAID GENERAL TAXES, NO UNPAID FORFEITED TAXES, AND NO RECEIVABLE TAX SALES AGAINST ANY OF THE LANDS INCLUDED IN THIS PLAT. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THIS PLAT.

DATED THIS _____ DAY OF _____, A.D. 20____.

WILLIAM R. HELMOLD
COUNTY CLERK

VILLAGE BOARD OF TRUSTEES CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF COOK }

THIS IS TO CERTIFY THAT THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, ILLINOIS, HAS REVIEWED AND APPROVED THIS PLAT.

DATED AT VERNON HILLS, ILLINOIS
THIS _____ DAY OF _____, A.D. 20____.

32nd EDWARD L. LINSKE VILLAGE PRESIDENT
AFFID: LINDA FLEISHER VILLAGE CLERK

VILLAGE ENGINEER CERTIFICATE

APPROVED BY THE VILLAGE ENGINEER OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS
THIS _____ DAY OF _____, A.D. 20____.

EDWARD J. BROWN
VILLAGE ENGINEER

VILLAGE PLANNING COMMISSION CERTIFICATE

APPROVED BY THE PLANNING COMMISSION OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS
THIS _____ DAY OF _____, A.D. 20____.

32nd EDWARD L. LINSKE VILLAGE PRESIDENT
AFFID: LINDA FLEISHER VILLAGE CLERK

VILLAGE COLLECTOR CERTIFICATE

I, LAURENCE BORTON, VILLAGE COLLECTOR FOR THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO UNPAID OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OF ANY SORTING INSTALLATIONS THEREOF THAT HAVE NOT BEEN APPROVED AGAINST THE TRACT INCLUDED IN THIS PLAT.

DATED AT VERNON HILLS, LAKE COUNTY, ILLINOIS
THIS _____ DAY OF _____, A.D. 20____.

LAURENCE BORTON
VILLAGE COLLECTOR

STATE OF ILLINOIS }
COUNTY OF COOK }

I, MARK H. LANCASTER, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 0624, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

LOT 1 IN THE FOREGOING TOWNSHIPS RESUBDIVISION, BEING A RESUBDIVISION OF LOT 41 AND PART OF LOT 40 IN THE GRANT FROM SITE 7 AND PART OF LOT 401 PARTLY BEING A SUBDIVISION OF PART OF SECTION 32, TOWNSHIP 44 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, VILLAGE OF VERNON HILLS, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 28, 2002, AS DOCUMENT NUMBER 080823, IN LAKE COUNTY, ILLINOIS.

AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION. THE AREA OF THE SUBDIVISION IS 2.00 ACRES (200,000 SQ. FT.) AND THEREAFTER SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF. WITH RESPECTS MADE ON THE NORTH AND SOUTH SIDES OF THE BOUNDARIES OF THE LOTS, THE DISTANCES BETWEEN THE CORNERS (EASERS) NEED TO BE MEASURED ALONG THE LINE TO WHICH MEASURED. STEEL PIPES HAVE BEEN PLACED AT THE CORNERS AND PORTS OF CURVATURE IN COMPLIANCE WITH THE ILLINOIS SURVEYING REQUIREMENTS.

I FURTHER CERTIFY THAT THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP PANEL NO. 1707070207, DATED AN EFFECTIVE DATE OF SEPTEMBER 7, 2007, INDICATES THAT THE HEREIN DESCRIBED PROPERTY LIES WITHIN AN AREA DESIGNATED AS ZONE B (LAND-ADJACENT) SAID ZONE BEING DEFINED AS AN AREA DETERMINED TO BE OUTSIDE OF THE 100 YEAR FLOODPLAIN. THIS MAP PANEL DOES NOT NECESSARILY SHOW ALL AREAS SUBJECT TO FLOODING IN THE COMMUNITY ON ALL PLANNING FEATURES OUTSIDE THE SPECIAL FLOOD FLOODPLAIN AREA AND THIS DOES NOT NECESSARILY THAT THE SURVEYED PROPERTY WILL OR WILL NOT FLOOD.

GIVEN UNDER MY HAND AND SEAL THIS 8TH DAY OF MAY, A.D. 2013.

MARK H. LANCASTER
PLS No. 2224
LAKE COUNTY, ILL. JUNE 10, 2014

PREPARED BY:
LANDMARK
ENGINEERING LLC
1000 WEST 103RD STREET
PALOS HILLS, ILLINOIS 60465-1929
PHONE (708) 599-3737
SURVEY No. 13-04-048-R2

EXHIBIT C

Ordinance 2006-19

Image# 042342840011 Type: ORD
Recorded: 10/23/2007 at 02:28:33 PM
Receipt#: 2007-00050968
Total Amt: \$34.00 Page 1 of 11
IL Rental Housing Fund: \$0.00
Lake County IL Recorder
Mary Ellen Vanderverter Recorder
File 6260032

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2006-19

AN ORDINANCE GRANTING CERTAIN APPROVALS FOR THE GREENLEAF
TOWNHOMES PROJECT LOCATED ON THE SOUTH SIDE OF GREENLEAF DRIVE
BETWEEN TENNYSON PLACE AND SWINEBURN PLACE, IN THE VILLAGE OF
VERNON HILLS, LAKE COUNTY.

ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF VERNON HILLS

THE 7TH DAY OF MARCH 2006

Published in pamphlet form by the
Authority of the President and Board
Of Trustees of the Village of Vernon
Hills, Lake County, Illinois, this 8th
Day of March 2006.

Please return original to:

VILLAGE OF VERNON HILLS
290 EVERGREEN DR
VERNON HILLS IL 60061-2999

11 Ken

ORDINANCE NO. 2006-19

AN ORDINANCE GRANTING CERTAIN APPROVALS FOR THE GREENLEAF TOWNHOMES PROJECT LOCATED ON THE SOUTH SIDE OF GREENLEAF DRIVE BETWEEN TENNYSON PLACE AND SWINEBURN PLACE, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY.

WHEREAS, J & J Greenleaf Townhomes, Inc., representing the property owners Bank of Waukegan as trustee under Trust No. 793 in regard to properties legally described in Exhibit A, has petitioned the Village of Vernon Hills to:

1. A Special Use Permit for a Planned Unit Development to allow 16 townhome units
2. Preliminary and Final Planned Development Approval, which includes approval of certain variations from lot size and setback requirements for the entire site.
3. Preliminary and Final Site, Landscaping and Architectural Plan Approvals for the entire Site
4. Preliminary and Final Plat Approval for The Greenleaf Townhomes.
5. Approval of the Development Permit

The petitioner is requesting approval to construct 16 townhome units at the legally described location.

WHEREAS, upon due notice and after public hearing or meetings held April 20, 2005 and December 14, 2005 and continued from time to time by the Planning and Zoning Commission of the Village of Vernon Hills, and pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, said Planning and Zoning Commission has filed its report concerning said petition to grant approval to a special use permit to allow the Planned Unit Development, grant preliminary and final planned development approval which includes approval of certain variations from lot size and setback requirements for the entire site and grant preliminary and final site, landscaping and architectural plan approvals for the entire site, final plat approval and approval of the Development Permit.

WHEREAS, it has been determined that the granting of this Planned Unit Development will have no serious and depreciating effect upon the value of surrounding property and will have no adverse effect upon the character of the neighborhood, public utility facilities or other matters pertaining to the public health, public safety and general welfare;

WHEREAS, based upon the evidence adduced at said hearings and in their application, the petitioner has entered into the record evidence and findings of fact that addresses the conditions in Section 18.3 of the Zoning Ordinance.

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

SECTION I. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, the special use permit to allow the Planned Unit Development commonly known as Greenleaf Townhomes is hereby approved subject to the conditions listed below in Section VI. Said parcels are legally described in Exhibit A.

SECTION II. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, the preliminary and final planned development approval which includes approval of certain variations from lot size and setback requirements for the entire site is hereby approved subject to the conditions listed below in Section VI. Said plans for the planned development and related plans are attached as Exhibit B.

SECTION III. Pursuant to the Vernon Hills Zoning Ordinance of 1982, preliminary and final site and landscaping and architectural plans for the entire site is hereby approved subject to the conditions listed below in Section VI.

SECTION IV. Pursuant to the Vernon Hills Zoning Ordinance of 1982, preliminary and final plat of subdivision for Greenleaf Townhomes is hereby approved subject to the conditions listed below in Section VI.

SECTION V. Pursuant to the Vernon Hills Zoning Ordinance of 1982, the Development Permit for the entire site is hereby approved subject to the conditions listed below in Section VI.

SECTION VI. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, and the recommendations of the Planning and Zoning Commission, the following conditions are hereby approval and are made a part of the approvals as listed in the Sections above:

A. General compliance with the following plans:

- Units A and B floor plans and elevations prepared by Viking Design Group consisting of 4 pages and dated 6/9/05.
- Unit C floor plans and elevations prepared by Viking Design Group consisting of 3 pages and dated 6/9/05.
- Color elevation for all units prepared by Viking Design Group consisting of 1 page and dated 6/9/05 and 1 enlarged plan which is undated.
- Plat of Vacation of Public Easements prepared by Manhard Consulting, Ltd consisting of 1 page with a revision date of 10/5/05.
- Proposed Improvement Plans for The Greenleaf Townhomes prepared by Manhard Consulting, Ltd consisting of 11 pages with a revision date on the Title Sheet of 11/15/05.

- Landscape Plan (located within the Proposed Improvement Plans) prepared by Manhard Consulting, Ltd consisting of pages 7, 7A and 8 with a revision date of 11/2/05.
 - Final Plat of the Greenleaf Townhomes prepared by Manhard Consulting, Ltd consisting of 2 pages with a revision date of 11/21/05.
- B. Final Approval by the Village Engineer and Landscape Architect of all related plans prior to issuance of a building permit.
- C. Approval of the HOA Documents by the Village Attorney prior to final approval by the Village Board.
- D. Payment of all school, park and cultural community center/ public art donations as required by the Development Ordinance at the time of building permit for each building.
- E. Payment of the Countryside Fire Protection District donation. Based on the number of bedrooms in a residential development, each structure is assessed the following: 3 bedrooms \$434.85, 4 bedrooms \$564.60, and 5 bedrooms \$565.50.
- F. Payment of the Emergency Warning System fee of \$100.00 per home in support of an emergency outdoor warning system (tornado sirens).
- G. Patios for Units #1-4, 7-10 and 11-14 may project beyond the proposed 25-foot setback a maximum of 3 feet and shall be consistent with the approved site plan.
- H. Recognition that while the Zoning Ordinance requires a minimum of 30 feet between buildings that some minor reduction in this distance may be required. The maximum reduction will be 5 feet thereby establishing a minimum distance of 25 feet between buildings.
- I. Compliance with all previous conditions as recommended for the Special Use Permit.
- J. Compliance with all ordinances and standards of the Village except as otherwise noted.
- K. Compliance with the list of materials by product descriptions regarding the Clo play insulated garage doors, EFIS window colors of Sandblast china white #310, Glen Gary Brick Bayhill and the roofing of GAF Timberline shingles in the color of brown. Similar alternate products of equal or greater color and quality may be substituted, subject to approval by the Building Commissioner.
- L. Installation of a Knox Box barrier with a drop gate at the end of the Alpine Rose Court attachment to the park district path.
- M. Record the Notice to Purchasers and spread it of record either in the declaration or a separate supplemental filing.
- N. Approval by the Vernon Hills Park District of pedestrian emergency access and the connections thereof the pathways proposed.
- O. Amendment of the HOA covenants page 17 to exempt the parking of commercial vehicle in the garage.

Said final plans are attached as Exhibit B and may be amended subject to changes as may be required to comply with the conditions listed herein. The Development Permit is attached in Exhibit C.

SECTION V. SEVERABILITY. In the event that any section, clause, provision, or part of this ordinance shall be found and 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 several applications, all valid applications that are severable from the invalid applications shall remain in effect.

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

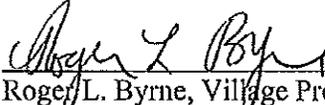
SECTION VIII. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2006-19.

Adopted by roll call vote as follows:

AYES: 5-Marquardt, Schultz, Schwartz, Hebda, Byrne

NAYS: 0-None

ABSENT AND NOT VOTING: 2-Koch, Williams

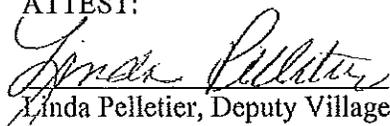

Roger L. Byrne, Village President

PASSED: 3/07/2006

APPROVED: 3/07/2006

PUBLISHED IN PAMPHLET FORM: 3/08/2006

ATTEST:


Linda Pelletier, Deputy Village Clerk

AFFIDAVIT OF SERVICE

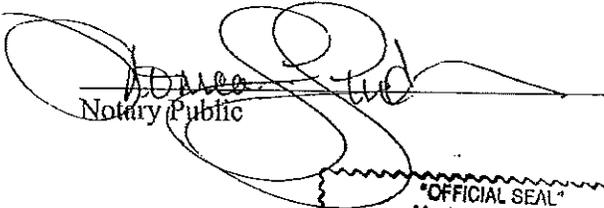
STATE OF ILLINOIS)
)
COUNTY OF LAKE)

I, LINDA PELLETIER, BEING FIRST DULY APPOINTED, DEPOSES AND SAYS ON OATH THAT AS DEPUTY VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, SHE DID CAUSE THE FOREGOING CERTIFICATE FOR ORDINANCE NO. 2006-19, AN ORDINANCE GRANTING CERTAIN APPROVALS FOR THE GREENLEAF TOWNHOMES PROJECT LOCATED ON THE SOUTH SIDE OF GREENLEAF DRIVE BETWEEN TENNYSON PLACE AND SWINEBURN PLACE, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY.



LINDA PELLETIER, DEPUTY VILLAGE CLERK

SUBSCRIBED AND SWORN to Before
Me this 24 day of march, 2006



Notary Public

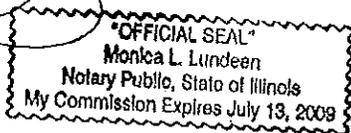


EXHIBIT C

DEVELOPMENT PERMIT For Greenleaf Townhomes PUD

WHEREAS, on April 20, 2005 and December 14, 2005, the Planning and Zoning Commission of the Village of Vernon Hills (the "Village") conducted public hearings to consider a petition filed by J&J Greenleaf Townhomes, Inc., an Illinois corporation as owner of the property, to grant approval to a special use permit to allow the Planned Unit Development (PUD), grant preliminary and final planned development approval which includes approval of certain variations from lot size and setback requirements for the entire site and grant preliminary and final site, landscaping, engineering and architectural plan approvals for the entire site, final plat approval and approval of the Development Permit for the Greenleaf Townhomes, a condominium development located along Greenleaf Drive, in Vernon Hills, Illinois; and

WHEREAS, the Commission has set forth its recommended conditions of approval in this Development Permit ("Development Standards") for the development of Greenleaf Townhomes; and

WHEREAS, the Village Board has reviewed the proposed multiple-family housing development of Greenleaf Townhomes and has taken into account the recommendations of the Village Staff and Planning and Zoning Commission.

In consideration of the foregoing as set forth herein, the Village grants to property owners J&J Greenleaf Townhomes, Inc, a Final Development Permit for Greenleaf Townhomes, subject to the following conditions:

1. The "whereas" clauses set forth above are hereby incorporated as part of the terms and conditions of this agreement.
2. J&J Greenleaf Townhomes, Inc, the Owners/Developers of Greenleaf Townhomes (the "Developer") shall be allowed to commence construction of the infrastructure for Greenleaf Townhomes upon submission of the required financial guarantees and final approvals from the Village Engineer and other applicable outside agencies, provided however that no occupancy permits shall be issued until all site development infrastructure described in the Plans (defined below), has been constructed and is available for use.
3. The following plans ("Plans") are hereby approved as final plans, and all development of the property shall generally conform thereto to the following plans:

- Units A and B floor plans and elevations prepared by Viking Design Group consisting of 4 pages and dated 6/9/05.
- Unit C floor plans and elevations prepared by Viking Design Group consisting of 3 pages and dated 6/9/05.
- Color elevation for all units prepared by Viking Design Group consisting of 1 page and dated 6/9/05 and 1 enlarged plan which is undated.
- Plat of Vacation of Public Easements prepared by Manhard Consulting, Ltd consisting of 1 page with a revision date of 10/5/05.
- Proposed Improvement Plans for The Greenleaf Townhomes prepared by Manhard Consulting, Ltd consisting of 11 pages with a revision date on the Title Sheet of 11/15/05.
- Landscape Plan (located within the Proposed Improvement Plans) prepared by Manhard Consulting, Ltd consisting of pages 7, 7A and 8 with a revision date of 11/2/05.
- Final Plat of the Greenleaf Townhomes prepared by Manhard Consulting, Ltd consisting of 2 pages with a revision date of 11/21/05.

The aforementioned plans are attached in booklet found in Exhibit A.

4. Conditions of approval:

- A. Final Approval by the Village Engineer and Landscape Architect of all related plans prior to issuance of a building permit.
- B. Approval of the HOA Documents by the Village Attorney prior to final approval by the Village Board.
- C. Payment of all school, park and cultural community center/ public art donations as required by the Development Ordinance at the time of building permit for each building.
- D. Payment of the Countryside Fire Protection District donation. Based on the number of bedrooms in a residential development, each structure is assessed the following: 3 bedrooms \$434.85, 4 bedrooms \$564.60, and 5 bedrooms \$565.50.
- E. Payment of the Emergency Warning System fee of \$100.00 per home in support of an emergency outdoor warning system (tornado sirens).
- F. Patios for Units #1-4, 7-10 and 11-14 may project beyond the proposed 25-foot setback a maximum of 3 feet and shall be consistent with the approved site plan.
- G. Recognition that while the Zoning Ordinance requires a minimum of 30 feet between buildings that some minor reduction in this distance may be required. The maximum reduction will be 5 feet thereby establishing a minimum distance of 25 feet between buildings.
- H. Compliance with all previous conditions as recommended for the Special Use Permit.
- I. Compliance with all ordinances and standards of the Village except as otherwise noted.
- J. Compliance with the list of materials by product descriptions regarding the Clo play insulated garage doors, EFIS window colors of Sandblast china white #310,

Glen Gary Brick Bayhill and the roofing of GAF Timberline shingles in the color of brown. Similar alternate products of equal or greater color and quality may be substituted, subject to approval by the Building Commissioner.

- K. Installation of a Knox Box barrier with a drop gate at the end of the Alpine Rose Court attachment to the park district path.
- L. The Developer shall prepare and use a Disclosure Letter in which future owners acknowledge that they have no right to use the private New Century Town association land or improvements, including the adjacent pool at the northeast corner of the property. The Disclosure Letter shall be reviewed and approved by the Village Attorney prior to any use by the Developer. The letter shall be signed and notarized by the future property owner and shall be submitted with the Application for Building Permit. Record the Notice to Purchasers and spread it of record either in the declaration or a separate supplemental filing.
- M. Approval by the Vernon Hills Park District of pedestrian emergency access and the connections thereof the pathways proposed.
- N. Amendment of the HOA covenants page 17 to exempt the parking of commercial vehicle in the garage.
- O. During construction, the Developer is responsible for insuring that the adjacent streets remain clean. Periodic sweeping of the streets will be required until acceptance of the street by the Village.
- P. During construction, care should be taken to maintain all erosion control devices for all improvements and structures.
- Q. Individual mailboxes shall be of uniform design and furnished and installed by the Developer according to Department of Public Works and United States Post Office specifications.
- R. Residential Chimney and Vent Enclosure, Flashing & Spark Arrestor/Rain Cap Specifications for Greenleaf Townhomes shall be provided as follows:
 - 1. All intake and exhaust vents used for venting water heaters, furnaces and similar appliances that penetrate through the roof and which are not contained within chimneys shall be installed at the minimum height allowed by the manufacturer specifications. Ideally, vents shall be installed below the ridge of the roof so the vent is not visible when viewed from the front property line. All portions of the venting system, including termination rain caps, may remain their natural color when installed through the roof.
 - 2. All Chimneys shall be as described in the applicable Plans.
 - 3. If manufacturer specifications require an intake or exhaust vent to terminate more than three feet above the roof, said vent shall be enclosed in a chimney chase. All portions of the vents, including termination rain and spark arrestor caps that penetrate a chimney chase shall be **black** in color. It is preferred that all intake or exhaust vents are grouped within the same enclosure when more than one is present.
 - 4. For framed chimney chases, the metal flashing that is placed on the top of the chase and that extends two (2) to three (3) inches around all sides, shall be copper-colored.

5. This Development Permit ("Permit") is granted to J&J Greenleaf Townhomes, Inc. as of March 7, 2006 subject to the terms and conditions contained herein. This Permit is not transferable to any entity that is not wholly controlled by J&J Greenleaf Townhomes, Inc.

The Board of Trustees of the Village of Vernon Hills on March 7, 2006 has authorized the Village President to execute this Agreement.

VILLAGE OF VERNON HILLS

By: *Robert L. Boyd*
Village President

ATTEST:
By: *Linda Pellitteri, Deputy*
Village Clerk





Image# 042342810004 Type: PSB
 Recorded: 10/23/2007 at 02:26:15 PM
 Receipt#: 2007-00050968
 Total Amt: \$79.00 Page 1 of 4
 IL Rental Housing Fund: \$10.00
 Lake County IL Recorder
 Mary Ellen Vanderventer Recorder

File **6260031**

Civil Engineers

Surveyors

Water Resources Engineers

Water & Wastewater Engineers

Construction Managers

Environmental Scientists

Landscape Architects

Planners

I, TIMOTHY J. MURPHY, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2870, HAVE PREPARED THE PLAT ENTITLED "THE GREENLEAF TOWNHOMES RESUBDIVISION" IN VERNON HILLS, ILLINOIS, AND HEREBY GRANT PERMISSION TO ANY REPRESENTATIVE OF THE VILLAGE OF VERNON HILLS TO RECORD SAID PLAT ON OR BEFORE AUGUST 30, 2007.

THE REPRESENTATIVE SHALL SHOW PROPER IDENTIFICATION AND PROVIDE THIS SURVEYOR A RECORDED COPY OF SAID SUBDIVISION.

DATED THIS 22ND DAY OF JUNE, A.D., 2007.

TIMOTHY J. MURPHY
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2870



EXHIBITS TO LARGE TO SCAN
REQUEST FILE

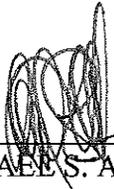
STATE OF ILLINOIS)
)
COUNTY OF LAKE)

CERTIFICATE

I, MICHAEL S. ALLISON, 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 AUGUST 13, 2013, THE CORPORATE AUTHORITIES OF SUCH MUNICIPALITY PASSED AND APPROVED ORDINANCE 2013-041 ENTITLED AN ORDINANCE AMENDING ORDINANCE 2006-19 GRANTING CERTAIN APPROVALS TO MODIFY THE GREENLEAF TOWNHOMES FINAL PLANNED UNIT DEVELOPMENT PLAT LOCATED ON THE SOUTH SIDE OF GREENLEAF DRIVE BETWEEN TENNYSON PLACE AND SWINEBURN PLACE, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY (GREEN MEADOW SUBDIVISION) WHICH PROVIDED BY ITS TERMS THAT IT SHOULD BE PUBLISHED IN PAMPHLET FORM.

THE PAMPHLET FOR ORDINANCE NO. 2013-041, INCLUDING THE ORDINANCE AND A COVER SHEET THEREOF, WAS PREPARED, AND A COPY OF SUCH ORDINANCE WAS POSTED IN THE VILLAGE HALL, COMMENCING AUGUST 16, 2013 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 AUGUST, 2013



MICHAEL S. ALLISON, VILLAGE CLERK

SEAL



AFFIDAVIT OF SERVICE

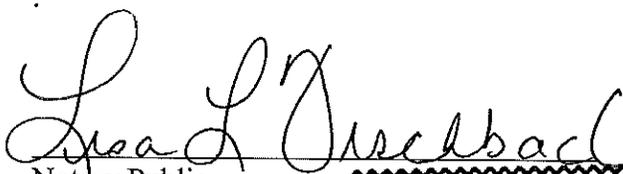
STATE OF ILLINOIS)
)
COUNTY OF LAKE)

I, MICHAEL S. ALLISON, BEING FIRST DULY APPOINTED, DEPOSES AND SAYS ON OATH THAT AS VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, HE DID CAUSE THE FOREGOING CERTIFICATE FOR ORDINANCE 2013-041, AN ORDINANCE AMENDING ORDINANCE 2006-19 GRANTING CERTAIN APPROVALS TO MODIFY THE GREENLEAF TOWNHOMES FINAL PLANNED UNIT DEVELOPMENT PLAT LOCATED ON THE SOUTH SIDE OF GREENLEAF DRIVE BETWEEN TENNYSON PLACE AND SWINEBURN PLACE, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY (GREEN MEADOW SUBDIVISION) TO BE POSTED IN THE VILLAGE HALL AS REQUIRED BY LAW FROM AUGUST 16, 2013 TO AUGUST 16, 2013.



MICHAEL S. ALLISON, VILLAGE CLERK

SUBSCRIBED AND SWORN TO BEFORE
THIS 16TH DAY OF AUGUST, 2013


Notary Public

