

FRED BUCHOLZ
DUPAGE COUNTY RECORDER
MAR. 13, 2008 3:23 PM
OTHER 06-07-209-025
016 PAGES R2008-040916

ORDINANCE 6009

**AUTHORIZING A SECOND AMENDMENT TO
REDEVELOPMENT AGREEMENT BETWEEN THE VILLAGE
AND NORWOOD-LOMBARD LLC IN REGARD TO THE
REDEVELOPMENT OF THE PROPERTY COMMONLY KNOWN
AS 129 AND 143 WEST ST. CHARLES ROAD, AND AUTHORIZING
THE SALE OF SAID PROPERTY IN RELATION THERETO**

TO BE RECORDED ON THE FOLLOWING PROPERTY:

129 & 143 W. St. Charles Road, Lombard, IL 60148
PIN's: 06-07-209-004, 005 and 006

NOW KNOWN AS:

1 South Lincoln Avenue, Lombard, IL and
141 W. St. Charles Road, Lombard, IL
PIN's: 06-07-230-001 through -082 and 06-07-209-025

Return To:

Village of Lombard
Department of Community Development
255 E. Wilson Avenue
Lombard, IL 60148

ORDINANCE NO. 6009

**AN ORDINANCE AUTHORIZING A SECOND AMENDMENT
TO REDEVELOPMENT AGREEMENT BETWEEN THE VILLAGE
AND NORWOOD-LOMBARD LLC IN REGARD TO THE
REDEVELOPMENT OF THE PROPERTY COMMONLY KNOWN AS
129 AND 143 WEST ST. CHARLES ROAD, AND
AUTHORIZING THE SALE OF SAID PROPERTY IN RELATION THERETO**

BE IT ORDAINED, by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: The President and Board of Trustees of the Village find as follows:

- A. The Village of Lombard (hereinafter referred to as the "VILLAGE") is a non-home rule municipality pursuant to Section 7 of Article VII of the Constitution of the State of Illinois.
- B. The State of Illinois has adopted tax increment financing pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 *et seq.*, as from time to time amended (hereinafter referred to as the "TIF ACT").
- C. Pursuant to its powers and in accordance with the TIF ACT, on February 2, 1989, the corporate authorities of the VILLAGE adopted Ordinance Numbers 3121, 3122 and 3123, in accordance with the TIF ACT, approving a tax increment redevelopment plan and project, designating a tax increment redevelopment project area and adopting tax increment financing relative to the VILLAGE'S downtown area tax increment financing district (hereinafter referred to as the "DOWNTOWN TIF DISTRICT") for redevelopment and revitalization of a portion of the corporate limits of the VILLAGE, which property is legally described on EXHIBIT A attached hereto and made part hereof (hereinafter referred to as the "REDEVELOPMENT PROJECT AREA").
- D. Pursuant to and in accordance with the Act, on June 6, 2002, the corporate authorities of the Village adopted Ordinance Number 5145, entitled "An Ordinance Amending Ordinance No. 3121, Adopted February 2, 1989, and the Redevelopment Plan and Project Attached Thereto as Exhibit "B", in Regard to the Termination Date for the Village of Lombard's Downtown Tax Increment Financing District," for the VILLAGE'S DOWNTOWN TIF DISTRICT, by which the termination date for the

DOWNTOWN TIF DISTRICT was extended to December 31, 2011, subject to the receipt of 2011 incremental real estate tax revenues during 2012.

- E. The VILLAGE and the DEVELOPER previously entered into a Redevelopment Agreement, as approved by Ordinance Number 5260 adopted March 6, 2003, and dated March 6, 2003, (hereinafter referred to as the "ORIGINAL AGREEMENT"), pursuant to which the VILLAGE and the DEVELOPER agreed to certain terms and conditions relative to the redevelopment of a portion of the REDEVELOPMENT PROJECT AREA.
- F. The VILLAGE and the DEVELOPER previously entered into a First Amendment to the ORIGINAL AGREEMENT, as approved by Ordinance Number 5312 adopted June 19, 2003, and dated June 19, 2003 (hereinafter referred to as the "FIRST AMENDMENT"), pursuant to which the VILLAGE and the DEVELOPER agreed to certain amendments to the terms and conditions set forth in the ORIGINAL AGREEMENT for the redevelopment of a portion of the REDEVELOPMENT PROJECT AREA (the ORIGINAL AGREEMENT as amended by the FIRST AMENDMENT being hereinafter referred to as the "AMENDED AGREEMENT").
- G. The AMENDED AGREEMENT contemplates certain TIF monetary incentives, which are to be provided to the DEVELOPER, by the VILLAGE from TIF incremental revenues generated by the DEVELOPER'S redevelopment, through December 31, 2011, and received by the VILLAGE through 2012, said dates being the termination dates for the DOWNTOWN TIF DISTRICT as established by Ordinance Number 5145, adopted June 6, 2002, as referenced in subsection D above.
- H. Pursuant to and in accordance with the Act, on January 18, 2007, the corporate authorities of the VILLAGE adopted Ordinance Number 5981, entitled "An Ordinance Amending Ordinance No. 3121, Adopted February 2, 1989, as Amended by Ordinance No. 5145 Adopted June 6, 2002, and the Redevelopment Plan and Project Attached Thereto as Exhibit "B", in Regard to the Termination Date for the Village of Lombard's Downtown Tax Increment Financing District and Redevelopment During the Extended Life of Said Tax Increment Financing District Beyond Its Original Termination Date," for the VILLAGE'S DOWNTOWN TIF DISTRICT, by which the termination date for the DOWNTOWN TIF DISTRICT was extended to December 31, 2023, subject to the receipt of 2023 incremental real estate tax revenues during 2024 (hereinafter referred to as the 'TIF PLAN AMENDMENT").

- I. The DEVELOPER and the VILLAGE desire to further amend the AMENDED AGREEMENT to:
1. Release the VILLAGE and the Lombard Park District from any liability, monetary or otherwise, relative to the underground storage tanks encountered by the DEVELOPER while engaging in redevelopment activity pursuant to the AMENDED AGREEMENT;
 2. Release the DEVELOPER from the letter of credit requirement imposed upon the DEVELOPER pursuant to the AMENDED AGREEMENT; and
 3. Clarify the termination date of the AMENDED AGREEMENT as December 31, 2011, notwithstanding the further extension of the life of the DOWNTOWN TIF DISTRICT as referenced in subsection H above;

(hereinafter referred to as the "AGREEMENT REVISIONS").

- J. As a result of the foregoing, the VILLAGE and the DEVELOPER are in agreement that it is necessary to further amend the AMENDED AGREEMENT to put the AGREEMENT REVISIONS in place.
- K. The amendment to the AMENDED AGREEMENT attached hereto as EXHIBIT B and made part hereof (hereinafter referred to as the "SECOND AMENDMENT") amends the AMENDED AGREEMENT to put the AGREEMENT REVISIONS in place.
- L. In accordance with the TIF ACT it is in the best interest of, the VILLAGE to approve the SECOND AMENDMENT, so that the AGREEMENT REVISIONS can be put in place and redevelopment within the DOWNTOWN TIF DISTRICT can continue.

SECTION 2: Based upon the foregoing, and pursuant to the TIF ACT, the SECOND AMENDMENT attached hereto as EXHIBIT B is hereby approved, and the President and Clerk of the VILLAGE be and they are hereby authorized and directed to execute and deliver said SECOND AMENDMENT attached hereto as EXHIBIT B.

SECTION 3: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this _____ day of _____, 2007.

First reading waived by action of the Board of Trustees this ___ day of _____, 2007, pursuant to a roll call vote as follows:.


Passed on second reading this 19th day of April, 2007.

AYES: Trustees Gron, Tross, O'Brien, Sebby, Florey & Soderstrom

NAYS: None

ABSENT: None

APPROVED by me this 19th day of April, 2007.




William J. Mueller
Village President

ATTEST:



Brigitte O'Brien
Village Clerk

Published by me in pamphlet form this 24th day of April, 2007, 2007.



Brigitte O'Brien
Village Clerk

EXHIBIT A

**DOWNTOWN LOMBARD TIF DISTRICT
REDEVELOPMENT PROJECT AREA LEGAL DESCRIPTION
(as revised to take into account consolidations and
resubdivisions since the formation of the TIF District in 1989)**

OLD LEGAL :

LOTS 1 AND 2 OF THE RESUBDIVISION OF LOT 6 OF BLOCK 27 OF THE ORIGINAL TOWN TO LOMBARD, LOTS 1, 2, 3, AND 4 OF THE ORIGINAL TOWN OF LOMBARD, LOTS 1, 2, 3, THE NORTH 25 FEET OF LOT 4, 6, 7, 8, 9, 10, 11, 12, 13, 14 IN CAVERNO'S SUBDIVISION, LOT 1 IN LOMBARD BIBLE CHURCH CONSOLIDATION PLAT, LOT 1 IN THE VILLAGE OF LOMBARD MAPLE STREET PLAT OF CONSOLIDATION, LOTS 1, 2, 3, 4, AND 5 IN OWNER'S SUBDIVISION IN BLOCK 18 OF THE ORIGINAL TOWN OF LOMBARD, LOTS 1, 2, 3, 4, 5, 6, AND 7 IN BLOCK 11 OF THE ORIGINAL TOWN OF LOMBARD, LOTS 3, 4, 5, 6, 7, AND 11 IN BLOCK 10 OF THE ORIGINAL TOWN OF LOMBARD, LOTS 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, AND 18 IN GROVE PARK SUBDIVISION 1ST ADDITION, LOTS 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, AND 28 IN GROVE PARK SUBDIVISION, LOTS 1 AND 2 IN TIMKE'S RESUBDIVISION, LOTS 1, 2, 3, 4, AND 5 IN GROVE STREET ASSESSMENT PLAT, LOT 1 OF THE BELFAST CONSOLIDATION PLAT, LOT 43 EXCEPTING THE NORTH 20 FEET THEREOF IN ORCHARD SUBDIVISION, ALL OF THE LINCOLN TERRACE CONDOMINIUM, LOTS 1, 2, AND 3 IN THE SUBDIVISION OF OUTLOT 10 IN BLOCK 19 IN THE ORIGINAL TOWN OF LOMBARD, LOTS 4 AND 5 OF BLOCK 19 OF THE ORIGINAL TOWN OF LOMBARD, LOTS 5, 6, AND 7 OF J.B. HULL'S SUBDIVISION OF LOT 3 OF BLOCK 19 OF THE ORIGINAL TOWN OF LOMBARD, LOTS 1 AND 2 OF BLOCK 19 OF THE ORIGINAL TOWN OF LOMBARD, LOTS 1, 2, AND 3 IN ZITTS RESUBDIVISION, LOT 2 IN PARK VIEW POINTE RESIDENTIAL CONDOMINIUM, ALL OF PARK VIEW POINTE COMMERCIAL CONDOMINIUM, LOT 1 IN PARK VIEW POINTE RESUBDIVISION, LOTS 8, 9, 10, AND 11 IN HULL'S J.B. SUBDIVISION PART OF BLOCK 11 AND PART OF OUTLOT 4 OF THE ORIGINAL TOWN OF LOMBARD, LOTS 10 AND 11 IN PARK MANOR CONDOMINIUM, ALL CHICAGO & NORTHWESTERN RAILROAD RIGHT-OF-WAY AND ALL PUBLIC RIGHTS-OF-WAY ADJACENT TO THE ABOVE-DESCRIBED PROPERTY ALL BEING IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS.

OF THAT PART OF BLOCK 22 OF THE ORIGINAL TOWN OF LOMBARD DESCRIBED BY BEGINNING AT A POINT ON THE EAST LINE OF MAIN STREET, 499.0 FEET NORTH OF THE SOUTHWEST CORNER OF SAID BLOCK 22 AND RUNNING THENCE EASTERLY TO A POINT ON THE CENTER LINE OF SAID BLOCK 22 THAT IS 386.6 FEET TO THE SOUTHERLY LINE OF SAID PARKSIDE AVENUE; THENCE SOUTHWESTERLY ALONG THE SOUTHERLY, LINE OF SAID PARKSIDE AVENUE TO THE EAST LINE OF MAIN STREET; THENCE SOUTH ON

THE EAST LINE OF MAIN STREET, 291.85 FEET TO THE PLACE OF BEGINNING, LOTS 1, 2, AND 3 IN JAMES' SUBDIVISION OF PART OF BLOCK 22 OF THE ORIGINAL TOWN OF LOMBARD, LOTS 28, 29, 30, AND 31 OF PART OF BLOCK 22 IN N. MATSON & OTHERS RESUBDIVISION, LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, AND 13 IN BLOCK 17 OF THE ORIGINAL TOWN OF LOMBARD, LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, AND 14 IN BLOCK 16 OF THE ORIGINAL TOWN OF LOMBARD, LOTS 1, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, AND 18 IN BLOCK 12 OF THE ORIGINAL TOWN OF LOMBARD, REGENCY GROVE CONDOMINIUMS, LOTS 1, 2, 3, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15 IN BLOCK 18 OF H. O. STONE & COMPANY'S ADDITION TO LOMBARD, LOMBARD TOWER CONDOMINIUMS, CHARLOTTE-GARFIELD CONDOMINIUMS, INCLUDING ALL CHICAGO & NORTHWESTERN RAILROAD RIGHT-OF-WAY AND ALL PUBLIC RIGHTS-OF-WAY ADJACENT TO THE ABOVE-DESCRIBED PROPERTY ALL BEING IN THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ALL IN DUPAGE COUNTY, ILLINOIS.

**SECOND AMENDMENT TO REDEVELOPMENT AGREEMENT
FOR THE LILAC SQUARE DEVELOPMENT
COMPRISING A PART OF THE DOWNTOWN TIF DISTRICT
OF THE VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS**

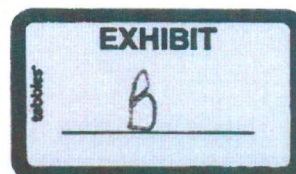
THIS SECOND AMENDMENT TO REDEVELOPMENT AGREEMENT is between the Village of Lombard, DuPage County, Illinois, a municipal corporation (hereinafter referred to as the "Village") and Norwood-Lombard LLC, an Illinois limited liability company (hereinafter referred to as "Developer"), and is dated this 19th day of April, 2007.

WITNESSETH:

WHEREAS, pursuant to Ordinance No. 5260, adopted March 6, 2003, the Village and the Developer entered into a "Redevelopment Agreement for the Lilac Square Development Comprising a Part of the Downtown TIF District of the Village of Lombard, DuPage County, Illinois" (hereinafter referred to as the "Redevelopment Agreement"); and

WHEREAS, pursuant to Ordinance No. 5312, adopted June 19, 2003, the Village and the Developer entered into a "First Amendment to Redevelopment Agreement for the Lilac Square Development Comprising a Part of the Downtown TIF District of the Village of Lombard, DuPage County, Illinois" (hereinafter referred to as the "First Amendment") (the Redevelopment Agreement as amended by the First Amendment being hereinafter referred to as the "Amended Agreement"); and

WHEREAS, the Developer and the Village desire to further amend the Amended Agreement to:



- A. Release the Village and the Lombard Park District from any liability, monetary or otherwise, relative to the underground storage tanks encountered by the Developer while engaging in redevelopment activity pursuant to the Amended Agreement;
- B. Release the Developer from the letter of credit requirement imposed upon the Developer pursuant to the Amended Agreement; and
- C. Clarify the termination date of the Amended Agreement as December 31, 2011, notwithstanding the further extension of the life of the Downtown TIF District pursuant to Ordinance No. 5981, adopted January 18, 2007;

(hereinafter referred to as the "Agreement Revisions").

WHEREAS, the Developer and the Village desire to further amend the Amended Agreement to put the Agreement Revisions in place; and

WHEREAS, it is in the best interests of the Village and the Developer to make the necessary amendments to the Amended Agreement to put the Agreement Revisions in place;

NOW, THEREFORE, in consideration of the foregoing, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. That Section IV.C. of the Amended Agreement is hereby amended to read in its entirety as follows:

"Developer shall be solely and exclusively responsible for any and all costs and expenses related to any underground storage tanks encountered by the Developer on either the Village Parcel or the Park District Parcel, and in furtherance thereof, the Developer does hereby, release, remise and forever discharge and hold harmless the Village and the Lombard Park District, and their respective past and present officials, officers, agents, servants and employees, and their heirs, executors, administrators or legal or personal representatives, (hereinafter referred to as the "Released Parties"), of and from any and all claims, debts, demands, obligations and/or causes of action, if any, of every kind and nature that Developer has or may have against the Released Parties, whether known or unknown, foreseeable or not, including any claim Developer might have, directly or indirectly, for attorney's fees and/or

costs, against said Released Parties of and from all claims, demands or causes of action, if any, for injury or damage to persons or property growing out of, relating to or arising from the presence of, removal of and/or any environmental remediation in relation to any underground storage tanks of any kind whatsoever located, or previously located at any time, on the Village Parcel or the Park District Parcel. This subsection C shall survive the termination of this Agreement.”

2. That Sections V. B. and C., and Exhibits 8 and 10, of the Amended Agreement are hereby deleted.

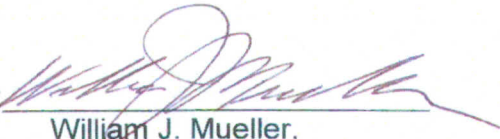
3. That Section X. of the Amended Agreement is hereby amended by revising the words, “at the termination of the Village’s Downtown T.I.F. District as required by the Act,” to read, “on December 31, 2011.”

4. That all other provisions of the Amended Agreement not amended hereby shall remain in full force and effect as if set forth fully herein.

VILLAGE OF LOMBARD,
a municipal corporation

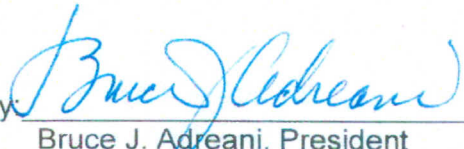
NORWOOD-LOMBARD LLC,
an Illinois limited liability company

By:



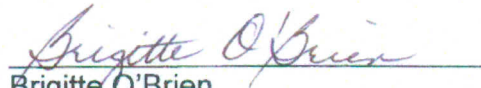
William J. Mueller,
Village President

By:



Bruce J. Adreani, President
of Norwood Construction, Inc.,
Manager of Norwood-Lombard LLC

ATTEST:



Brigitte O'Brien,
Village Clerk

LEGAL DESCRIPTION

OLD LEGAL:

Parcel 1:

LOTS 4 AND 5 IN BLOCK 19 TOWN OF "LOMBARD", BEING A SUBDIVISION IN SECTIONS 5, 6, 7, 8 AND 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 23, 1868 AS DOCUMENT 9483, IN DuPAGE COUNTY, ILLINOIS.

Parcel 2:

LOTS 6 AND 7 IN J.B. HULL'S SUBDIVISION OF LOT 3 IN BLOCK 19 OF THE TOWN OF "LOMBARD", A SUBDIVISION IN SECTIONS 5, 6, 7, 8 AND 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID J.B. HULL'S SUBDIVISION RECORDED MARCH 20, 1876 AS DOCUMENT 21406, IN DuPAGE COUNTY, ILLINOIS.

Parcel 3:

LOT 5 OF THE PLAT OF J.B. HULL'S SUBDIVISION OF LOT 3 IN BLOCK 19 IN THE TOWN OF LOMBARD, BEING A PART OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID J.B. HULL'S SUBDIVISION RECORDED MARCH 20, 1876 AS DOCUMENT NUMBER 21406, IN DuPAGE COUNTY, ILLINOIS.

Address: 129 & 143 W. St. Charles Road
Lombard, IL 60148

PIN's: ~~06-07-209-004, 005, and 006~~ and
now known as 06-07-230-001 through -082 and
06-07-209-025

Now Known As:

Parcel 1: Units 201-213; 301-313; and 401-413 and Parking Units P1-43 in the Lincoln Place Condominiums as delineated on a survey of the following described Property: Part of Lot 1 in Lincoln Place Resubdivision, being a Resubdivision of part of the Northeast Quarter of Section 7, Township 39 North, Range 11, East of the Third Principal Meridian, according to the Plat thereof recorded in the Office of the Recorder of Deeds of DuPage County, Illinois on December 1, 2003 as Document Number R2003-452349 and corrected by Plat recorded in the Office of the Recorder of Deeds of DuPage County, Illinois on November 5, 2004 as Document Number R2004-284508, which Survey is attached as Exhibit "C" to the Declaration of Condominium Recorded on December 15, 2004 as Document Number R2004-314078 as amended from time to time, together with the percentage interest of each such Unit in the Common Elements, all in DuPage County, Illinois.

PIN's: 06-07-230-001 through -082
Address: 1 South Lincoln Avenue, Lombard, IL

Now Known As:

141 W. St. Charles Rd., Lombard, IL
PIN: 06-07-209-025

LINCOLN PLACE RETAIL PARCEL

THAT PART OF LOT 1 IN LINCOLN PLACE RESUBDIVISION, BEING A RESUBDIVISION OF PART THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 1, 2003 AS DOCUMENT NUMBER R2003-452349, AND CORRECTED BY AFFIDAVIT AND CERTIFICATE OF CORRECTION RECORDED NOVEMBER 5, 2004 AS DOCUMENT NUMBER R2004-284508, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE NORTH 73 DEGREES 15 MINUTES 34 SECONDS EAST ALONG AN ASSUMED BEARING, BEING THE NORTHERLY LINE OF SAID LOT 1 A DISTANCE OF 165.60 FEET; THENCE SOUTH 16 DEGREES 45 MINUTES 55 SECONDS EAST 24.83 FEET TO A POINT ON A CONCRETE BLOCK WALL; THENCE SOUTHWESTERLY ALONG SAID CONCRETE BLOCK WALL THE FOLLOWING EIGHT COURSES, SOUTH 73 DEGREES 18 MINUTES 28 SECONDS WEST 12.92 FEET; THENCE SOUTH 16 DEGREES 38 MINUTES 16 SECONDS EAST 0.99 FEET; THENCE SOUTH 73 DEGREES 21 MINUTES 44 SECONDS WEST 37.70 FEET; THENCE NORTH 16 DEGREES 38 MINUTES 16 SECONDS WEST 2.00 FEET; THENCE SOUTH 73 DEGREES 17 MINUTES 28 SECONDS WEST 46.39 FEET; THENCE SOUTH 16 DEGREES 38 MINUTES 16 SECONDS EAST 1.94 FEET; THENCE SOUTH 73 DEGREES 21 MINUTES 44 SECONDS WEST 59.54 FEET; THENCE SOUTH 16 DEGREES 25 MINUTES 52 SECONDS EAST 7.30 FEET; THENCE SOUTH 73 DEGREES 34 MINUTES 08 SECONDS WEST 1.06 FEET; THENCE SOUTH 28 DEGREES 18 MINUTES 13 SECONDS WEST 1.64 FEET; THENCE SOUTH 73 DEGREES 13 MINUTES 00 SECONDS WEST 6.77 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 1; THENCE NORTH 16 DEGREES 47 MINUTES 00 SECONDS WEST ALONG SAID WESTERLY LINE 34.01 FEET TO THE POINT OF BEGINNING;

ALSO THAT PART DESCRIBED AS FOLLOWS ("RETAIL TRASH ROOM"):

THAT PART OF SAID LOT 1; COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 16 DEGREES 45 MINUTES 55 SECONDS EAST ALONG THE EASTERLY LINE OF SAID LOT 1 A DISTANCE OF 46.96 FEET; THENCE SOUTH 73 DEGREES 14 MINUTES 05 SECONDS WEST 11.76 FEET TO THE INSIDE CORNER OF A CONCRETE BLOCK WALL, SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 16 DEGREES 48 MINUTES 48 SECONDS EAST ALONG SAID WALL 7.77 FEET; THENCE SOUTH 73 DEGREES 48 MINUTES 28 SECONDS WEST ALONG SAID WALL 11.08 FEET; THENCE NORTH 16 DEGREES 58 MINUTES 03 SECONDS WEST ALONG SAID WALL 7.65 FEET; THENCE NORTH 73 DEGREES 11 MINUTES 14 SECONDS EAST ALONG SAID WALL 11.10 FEET TO THE POINT OF BEGINNING;

ALSO THAT PART DESCRIBED AS FOLLOWS ("RETAIL PARKING"):

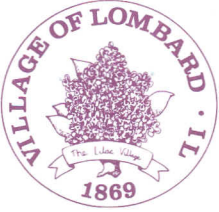
THAT PART OF SAID LOT 1; COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 16 DEGREES 47 MINUTES 00 SECONDS WEST ALONG THE WESTERLY LINE OF SAID LOT 1 A DISTANCE OF 12.94 FEET TO THE POINT OF BEGINNING; THENCE NORTH 16 DEGREES 47 MINUTES 00 SECONDS WEST

CONTINUING ALONG SAID WESTERLY LINE 82.00 FEET; THENCE NORTH 73 DEGREES 18 MINUTES 13 SECONDS EAST 13.69 FEET; THENCE SOUTH 16 DEGREES 41 MINUTES 47 SECONDS EAST 82.00 FEET; THENCE SOUTH 73 DEGREES 18 MINUTES 13 SECONDS WEST 13.57 FEET TO THE POINT OF BEGINNING;

EXCEPT ("CONDO TURRET EXCLUSION"):

THAT PART OF SAID LOT 1 LYING ABOVE THE BOTTOM VERTICAL PLANE OF ELEVATION 724.00 FEET (BASED ON THE VILLAGE OF LOMBARD MONUMENT 1-002, ELEVATION 691.53), DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE NORTH 73 DEGREES 15 MINUTES 34 SECONDS EAST ALONG AN ASSUMED BEARING, BEING THE NORTHERLY LINE OF SAID LOT 1 A DISTANCE OF 165.60 FEET; THENCE SOUTH 16 DEGREES 45 MINUTES 55 SECONDS EAST 24.83 FEET TO A POINT ON A CONCRETE BLOCK WALL; THENCE SOUTHWESTERLY ALONG SAID CONCRETE BLOCK WALL THE FOLLOWING EIGHT COURSES, SOUTH 73 DEGREES 18 MINUTES 28 SECONDS WEST 12.92 FEET; THENCE SOUTH 16 DEGREES 38 MINUTES 16 SECONDS EAST 0.99 FEET; THENCE SOUTH 73 DEGREES 21 MINUTES 44 SECONDS WEST 37.70 FEET; THENCE NORTH 16 DEGREES 38 MINUTES 16 SECONDS WEST 2.00 FEET; THENCE SOUTH 73 DEGREES 17 MINUTES 28 SECONDS WEST 46.39 FEET; THENCE SOUTH 16 DEGREES 38 MINUTES 16 SECONDS EAST 1.94 FEET; THENCE SOUTH 73 DEGREES 21 MINUTES 44 SECONDS WEST 37.69 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 73 DEGREES 21 MINUTES 44 SECONDS WEST 21.85 FEET; THENCE SOUTH 16 DEGREES 25 MINUTES 52 SECONDS EAST 7.30 FEET; THENCE SOUTH 73 DEGREES 34 MINUTES 08 SECONDS WEST 1.06 FEET; THENCE SOUTH 28 DEGREES 18 MINUTES 13 SECONDS WEST 1.64 FEET; THENCE NORTH 62 DEGREES 16 MINUTES 07 SECONDS WEST 4.58 FEET; THENCE NORTH 16 DEGREES 54 MINUTES 39 SECONDS WEST 11.41 FEET; THENCE NORTH 28 DEGREES 41 MINUTES 28 SECONDS EAST 11.33 FEET; THENCE NORTH 72 DEGREES 49 MINUTES 49 SECONDS EAST 11.31 FEET; THENCE SOUTH 61 DEGREES 52 MINUTES 37 SECONDS EAST 11.35 FEET; THENCE SOUTH 16 DEGREES 38 MINUTES 16 SECONDS EAST 6.23 FEET TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.



I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

I further certify that attached hereto is a
copy of ORDINANCE 6009

AUTHORIZING A SECOND AMENDMENT TO
REDEVELOPMENT AGREEMENT BETWEEN THE
VILLAGE AND NORWOOD-LOMBARD LLC IN REGARD
TO THE REDEVELOPMENT OF THE PROPERTY
COMMONLY KNOWN AS 129 AND 143 W. ST. CHARLES
ROAD AND AUTHORIZING THE SALE OF SAID
PROEPRTY IN RELATION THERETO

ADDRESS: 129 & 143 W. ST. CHARLES ROAD,
LOMBARD, IL 60148

PIN: 06-07-209-004, 005, AND 006

NOW KNOWN AS

1 SOUTH LINCOLN AVENUE, LOMBARD, IL AND 141 W.
ST. CHARLES ROAD, LOMBARD, IL 60148

PINS: 06-07-230-001 THROUGH -082 AND 06-07-209-025

of the said Village as it appears from the official records
of said Village duly approved April 19, 2007.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 11th day of March, 2008.



Barbara A. Johnson
Deputy Village Clerk
Village of Lombard
DuPage County, Illinois

