

## **MEMORANDUM**

**TO:** William T. Lichter, Village Manager

**FROM:** David A. Hulseberg, AICP, Director of Community Development

**DATE:** March 18, 2004

**SUBJECT: BOT 04-02: 1400 S. Fairfield Avenue (Amendment to the Fairfield Glen Annexation Agreement)**

Staff has received a request from the property owner and the proposed developer for the Fairfield Glen Townhome Development requesting amendments to the Annexation Agreement approved on September 18, 2003. Specifically, the current property owner is seeking a modification to the agreement fully removing his obligations upon his sale of the subject property to the developer. The developer is also seeking approval of language that would allow for a substitute developer.

Village Counsel has reviewed the proposed language amendments and finds the changes to be acceptable.

Staff has attached copies of the following items for Board consideration as part of the March 18, 2004 Village Board meeting:

1. Request letter from the developer's Counsel;
2. A draft Ordinance granting approval of the requested amendments; and
3. A copy of the draft Amendment to the Annexation Agreement.

### **RECOMMENDATION**

Staff recommends approval of the requested amendment. The developer also requests a wavier of first reading of the Ordinance approving the amendment.