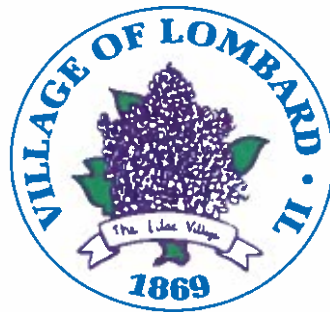


**ORDINANCE 7396  
PAMPHLET**

**1 E. ST. CHARLES ROAD: BP GAS STATION**



PUBLISHED IN PAMPHLET FORM THIS 21<sup>ST</sup> DAY OF JULY, 2017, BY ORDER  
OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE  
COUNTY, ILLINOIS.

A handwritten signature in black ink that reads "Sharon Kuderna".

Sharon Kuderna  
Village Clerk

**ORDINANCE NO. 7396**

**AN ORDINANCE TERMINATING THE FREESTANDING SIGN PROHIBITION  
RELATIVE TO THE PROPERTY LOCATED AT 1 EAST ST. CHARLES ROAD,  
AND AMENDING ORDINANCE NO. 3352, ADOPTED JANUARY 3, 1991,  
AND ORDINANCE NO. 5292, ADOPTED MAY 15, 2003, IN RELATION THERETO**

**WHEREAS**, on November 11, 1990, the Village of Lombard (the "Village") and the owners of a portion of the Subject Property, (as defined in Section 3 below), entered into an agreement, in further settlement of an eminent domain proceeding from 1986 (the "1990 Agreement"); and

**WHEREAS**, pursuant to Village Ordinance No. 3352, dated January 3, 1991, the Village approved a variation from the provisions of the Lombard Sign Ordinance, to allow for the maximum size of a service station rate sign to be increased from eighteen (18) square feet to thirty-four (34) square feet, relative to a service station rate sign to be installed on a portion of the Subject Property, (as defined in Section 3 below), (the "1991 Ordinance"); and

**WHEREAS**, pursuant to Village Ordinance No. 5292, dated May 15, 2003, the Village approved a variation from the provisions of the Lombard Sign Ordinance, to allow for more than one (1) wall sign per street front exposure, relative to the Subject Property, (as defined in Section 3 below), (the 2003 Ordinance"); and

**WHEREAS**, Section 9 of the 1990 Agreement prohibited freestanding signs on a portion of the Subject Property, (as defined in Section 3 below); and

**WHEREAS**, in light of the provisions of Section 9 of the 1990 Agreement, Section 3 of the 1991 Ordinance prohibited freestanding signs on a portion of the Subject Property, (as defined in Section 3 below); and

**WHEREAS**, in light of the provisions of Section 9 of the 1990 Agreement, Section 2 of the 2003 Ordinance prohibited freestanding signs on a portion of the Subject Property, (as defined in Section 3 below), by limiting the development of the Subject Property, (as defined in Section 3 below), to a specific site plan that did not include a freestanding sign; and

**WHEREAS**, the current owner of the Subject Property, (as defined in Section 3 below), desires to construct a freestanding sign on the Subject Property, (as defined in Section 3 below); and

**WHEREAS**, but for the prohibitions set forth in Section 9 of the 1990 Agreement, Section 3 of the 1991 Ordinance and Section 2 of the 2003 Ordinance, a freestanding sign would be allowed on the Subject Property, (as defined in Section 3 below), based on the zoning district in which the Subject Property, (as defined in Section 3 below), is located; and

**WHEREAS**, the President and Board of Trustees have determined that it is in the best interests of the Village of Lombard to terminate the freestanding sign prohibition applicable to the Subject Property, (as defined in Section 3 below);

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

**SECTION 1:** That the freestanding sign prohibition, as set forth in Section 9 of the 1990 Agreement, is hereby waived by the Village.

**SECTION 2:** That, based on the waiver set forth in Section 1 above, Section 3 of the 1991 Ordinance is hereby repealed.

**SECTION 3:** That, based on the waiver set forth in Section 1 above, Section 2 of the 2003 Ordinance is amended by adding the following to the end of subsection 1 thereof: "except that a freestanding sign shall be allowed, if a freestanding sign is allowed in the zoning district in which the property is located."

**SECTION 4:** That this Ordinance is limited and restricted to the property generally located at 1 East St. Charles Road, Lombard, Illinois, and legally described as follows:

LOT THIRTEEN (13) IN BLOCK SEVENTEEN (17) OF THE ORIGINAL PLAT OF THE TOWN, NOW VILLAGE, OF LOMBARD, BEING THAT PART OF THE NORTHWEST QUARTER (NW ¼) OF SECTION EIGHT (8) IN TOWNSHIP THIRTY-NINE (39) NORTH, RANGE ELEVEN (11), EAST OF THE THIRD PRINCIPAL MERIDIAN (3RD P.M.), DESCRIBED BY COMMENCING AT AN IRON BOLT IN THE WEST LINE OF THE SECTION IN THE CENTER OF LAKE STREET (FORMERLY ST. CHARLES AND CHICAGO STATE ROAD) WHICH POINT IS ELEVEN AND TWENTY-THREE HUNDREDTHS (11.23) CHAINS SOUTH OF THE NORTHWEST CORNER OF SAID SECTION 8 AND RUN THENCE SOUTH THREE-QUARTERS OF A DEGREE WEST (S ¾ DEGREES W) TWO AND SEVENTY-TWO HUNDREDTH (2.72) CHAINS TO THE NORTH LINE OF RAILROAD RIGHT OF WAY, THENCE NORTH EIGHTY-EIGHT AND THREE-QUARTERS DEGREES EAST (N 88-¾ DEGREES E) ALONG RAILROAD RIGHT OF WAY TWO AND FORTY-THREE HUNDREDTHS (2.43) CHAINS, THENCE NORTH TWENTY-TWO AND ONE-HALF DEGREES WEST (N22-½ DEGREES W) TWO AND FORTY-FIVE HUNDREDTHS (2.45) CHAINS TO THE CENTER OF ROAD, THENCE SOUTH SEVENTY DEGREES WEST (S 70 DEGREES W) ONE AND FORTY-SEVEN HUNDREDS (1.47) CHAINS TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM ALL THAT PART THEREOF CONVEYED BY WEST SUBURBAN BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 2, 1984 AND KNOWN AS TRUST NUMBER 3370 TO VILLAGE OF LOMBARD BY INSTRUMENT RECORDED JANUARY 28, 1987 AS DOCUMENT R1987-013238 FOR ROADWAY PURPOSES.

EXCEPTING, HOWEVER, THEREFROM ALL THAT PART OF THEREOF CONVEYED BY THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY TO THE VILLAGE OF LOMBARD BY DEED DATED DECEMBER 19, 1922 AND THEREIN DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT ON THE SOUTH LINE OF LAKE STREET TWENTY-TWO AND TWENTY-FOUR HUNDREDTHS FEET (22.24 FEET) WESTERLY FROM ITS INTERSECTION WITH THE EAST LINE OF MAIN STREET EXTENDED SOUTH FROM

THE NORTH; THENCE SOUTHERLY ONE HUNDRED TWENTY-SEVEN AND TWO-TENTHS FEET (127.2 FEET) TO A POINT WHICH IS TWENTY-TWO AND FIFTY-FIVE HUNDREDTHS FEET (22.55) WEST AT RIGHT ANGLES FROM SAID EXTENDED EAST LINE OF MAIN STREET; THENCE SOUTHWESTERLY TWENTY-FIVE AND FIVE TENTHS FEET (25.5 FEET) TO A POINT WHICH IS FIFTY FEET (50 FEET) NORTHERLY AT RIGHT ANGLES FROM THE CENTER LINE BETWEEN THE TWO MAIN TRACKS OF THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY, AS SAID TRACKS ARE NOW LOCATED AND CONSTRUCTED AND TWENTY EIGHT AND SIX-TENTHS (28.6 FEET) WESTERLY AT RIGHT ANGLES FROM SAID EXTENDED EAST LINE OF MAIN STREET; THENCE WESTERLY ON A LINE PARALLEL WITH AND FIFTY FEET (50 FEET) DISTANT FROM SAID CENTER LINE BETWEEN SAID MAIN TRACKS ELEVEN FEET (11 FEET) MORE OR LESS TO THE WEST LINE OF SAID SECTION EIGHT (8) THENCE NORTH ON SAID SECTION LINE TO THE SOUTH LINE OF LAKE STREET; THENCE EASTERLY TO THE PLACE OF BEGINNING.

EXCEPTING, HOWEVER, ALSO FROM THE ABOVE DESCRIBED PREMISES A STRIP OF LAND TEN FEET (10 FEET) WIDE NORTH OF AND ADJOINING THE SOUTHERLY BOUNDARY LINE OF SAID DESCRIBED PREMISES, MEASURED AT RIGHT ANGLES THERETO.

PARCEL 2:  
THE WEST 28 FEET OF LOT 12 IN BLOCK 17 IN THE TOWN OF LOMBARD, BEING A SUBDIVISION OF 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 NUMBER 9433, IN DUPAGE COUNTY, ILLINOIS.  
CONTAINING TOTAL AREA: 14,830.39 sq. ft. (0.34 acres);

Parcel Number: 06-08-108-010;  
(the "Subject Property").

**SECTION 5:** That this Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

Passed on first reading this \_\_\_\_ day of \_\_\_\_, 2017.

First reading waived by action of the Board of Trustees this 20<sup>th</sup> day of July, 2017.

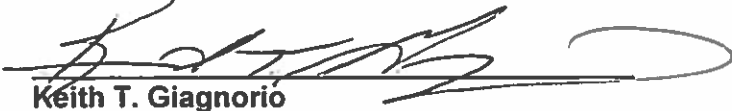
Passed on second reading this 20<sup>th</sup> day of July, 2017.

Ayes: Trustee Whittington, Fugiel, Foltyniewicz, Johnston, Pike and Ware

Nays: None

Absent: None

Approved this 20<sup>th</sup> day of July, 2017.

  
Keith T. Giagnorio  
Village President

ATTEST:

  
Sharon Kuderna  
Village Clerk

Published by me in pamphlet form on this 21<sup>st</sup> day of July, 2017.

  
Sharon Kuderna  
Village Clerk