

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING A FIRST AMENDMENT
TO ORDINANCE 5122, ADOPTED MAY 2, 2002,
AUTHORIZING AN ANNEXATION AGREEMENT**

(PC 04-25: 201, 205 and 211 E. Roosevelt Road;
1200 S. Highland Avenue; and 112-116 & 120-124 E. 13th Street
(Southwest Corner of Roosevelt Road & Highland Avenue)

(See also Ordinance No.(s) _____)

WHEREAS, VLAND LOMBARD HIGHLAND LLC, an Illinois Limited Liability Corporation, (hereinafter referred to as "the Developer") has petitioned the Village for an amendment to Ordinance Number 5122, adopted May 2, 2002 (hereinafter "the First Amendment") to said Ordinance providing for an annexation agreement relative to the property described in Section 3 below (hereinafter the "Subject Property"); and

WHEREAS, said petition of the Developer requests an amendment to Ordinance Number 5122 so as to provide for an alternative development and which includes properties not included as part of the original agreement; and

WHEREAS, a public hearing was held by the Village's Plan Commission on September 2, 2004, pursuant to appropriate and legal notice, for the purpose of considering the petition of the Developer for the amended plan and the Plan Commission has submitted to the Corporate Authorities of the Village its findings and recommendations with respect to said petition; and

WHEREAS, the First Amendment has been drafted and a copy is attached hereto and incorporated herein as Exhibit "A"; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein.

NOW, THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That Ordinance 5122, adopted May 2, 2004, is hereby amended to include the First Amendment attached hereto and marked Exhibit "A", by and between the Developer and the Village of Lombard.

SECTION 2: That the Village President and Village Clerk be and hereby are authorized to sign and attest to said First Amendment.

SECTION 3: This Ordinance is limited and restricted to the property generally located at 201, 205 and 211 E. Roosevelt Road; 1200 S. Highland Avenue; and 112-116 & 120-124 E. 13th Street (a.k.a., the Southwest Corner of Roosevelt Road & Highland Avenue), Lombard, Illinois; legally described as follows:

LOTS 1, 2, 3 AND 4 IN ROOSEVELT HIGHLANDS SHOPPING CENTER, BEING A SUBDIVISION OF PART OF THE WEST ½ OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 26, 1954 AS DOCUMENT 738449, IN DU PAGE COUNTY, ILLINOIS.

ALSO,

LOTS 1 AND 2, IN MERL'S RESUBDIVISION, BEING A SUBDIVISION OF PART OF THE WEST ½ OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 22, 1976 AS DOCUMENT R-76-84675, IN DU PAGE COUNTY, ILLINOIS.

Parcel Number: 06-20-100-008, 009, 010, 021, 060 and 061

SECTION 4: That all other portions of Ordinance Number 5122, adopted May 2, 2002, and not amended by this Ordinance, shall remain in full force and effect.

SECTION 5: 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 _____, 2004.

First reading waived by action of the Board of Trustees this _____ day of _____, 2004.

Passed on second reading this _____ day of _____, 2004.

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Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2004.

William J. Mueller, Village President

ATTEST:

Barbara A. Johnson, Deputy Village Clerk