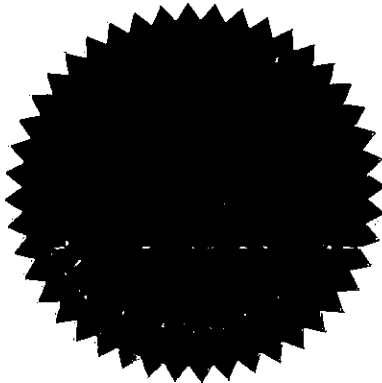


ORDINANCE 5312

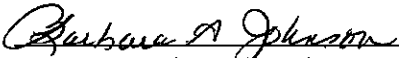
PAMPHLET

ORDINANCE AUTHORIZING A FIRST AMENDMENT TO THE REDEVELOPMENT  
AGREEMENT BETWEEN THE VILLAGE AND NORWOOD-LOMBARD LLC

129 AND 143 WEST ST. CHARLES ROAD



PUBLISHED IN PAMPHLET FORM THIS 23<sup>rd</sup> DAY OF June, 2003  
BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD,  
DUPAGE COUNTY, ILLINOIS.

  
Barbara A. Johnson  
Deputy Village Clerk

ORDINANCE NO. 5312

**AN ORDINANCE AUTHORIZING A FIRST AMENDMENT TO THE 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**

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, 2003, the corporate authorities of the Village adopted Ordinance No. 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. Norwood-Lombard LLC (hereinafter referred to as the "DEVELOPER") desires to redevelop a portion of the REDEVELOPMENT PROJECT AREA, said portion thereof being legally described on EXHIBIT B attached hereto and made part hereof, (hereinafter referred to as the "SUBJECT PROPERTY") on which the DEVELOPER intends to construct a mixed use residential and retail development (hereinafter referred to as the "DEVELOPMENT").
- F. In accordance with the TIF ACT, the VILLAGE, pursuant to Ordinance No. 5260, adopted on March 6, 2003, approved a Redevelopment Agreement with the DEVELOPER relative to the DEVELOPMENT (hereinafter referred to as the "REDEVELOPMENT AGREEMENT"), so that redevelopment within the DOWNTOWN TIF DISTRICT could continue.
- G. Based upon a need to revise the site plan for the DEVELOPMENT to accommodate additional parking, certain amendments now need to be made to the REDEVELOPMENT AGREEMENT.

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

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 \_\_\_\_\_, 2003.

First reading waived by action of the Board of Trustees this 19<sup>th</sup> day of June, 2003.

Passed on second reading this 19<sup>th</sup> day of June, 2003.

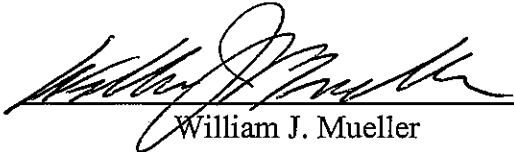
AYES: Trustees DeStephano, Tross, Koenig, Sebby, Florey, Soderstrom

NAYS: None

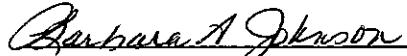
ABSENT: None

ORDINANCE 5312

APPROVED by me this 19th day of June, 2003.

  
\_\_\_\_\_  
William J. Mueller  
Village President

ATTEST:

  
\_\_\_\_\_  
Barbara A. Johnson  
Deputy Village Clerk

Published by me in pamphlet form this 23rd day of June, 2003.

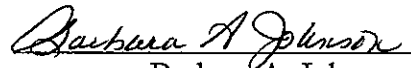
  
\_\_\_\_\_  
Barbara A. Johnson  
Deputy Village Clerk

Exhibit A

LEGAL DESCRIPTION  
REDEVELOPMENT PROJECT AREA

Lots 1 and 2 of the Resubdivision of Lot 6 of Block 27 of the Original Town of Lombard, Lots 1, 2, 3, and 4 of the Original Town of Lombard, Lots 1, 2, 3, the North 25 ft. of Lot 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21 in Caverno's Subdivision, Lot 1 in Lombard Bible Church Consolidation Plat, 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 8, 9, 10, 11, and 12 in J. B. Hull's Subdivision of part of Block 11 and part of outlot 4 of the Original Town of Lombard, Lots 7, 8, 9, 12, 13, 14, 15, 16, 17 and 18 of Grove Park Subdivision, Lots 2, 3, 4, 5, 6, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28 in Grove Park Subdivision, Lots 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 in Grove Park Subdivision First Addition, Lots 11 and 12 in W. H. Maple's Subdivision, Lots 3, 4, 5, 6, 7, 8, 9, 10, and 11 in Block 10 of the Original Town of Lombard, Lots 1, 2, and 3, in the Subdivision of Outlot 10 in the Original Town of Lombard, Lot 1 of the Belfast Consolidation Plat, Lots 1, 2, 4, and 5 of Block 19 in the Original Town of Lombard, Lots 1, 2, 3, 4, 5, 6, 7, 8, of J. B. Hull's Subdivision of Lot 3 of Block 19 of the Original Town of Lombard, Lot 43 excepting the North 20 feet thereof in Orchard Subdivision, Lots 1 and 2 of Timke's Resubdivision, all of Park Manor Condominium, including 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, 2, the East 1/2 of Lot 3, Lots 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 in Block 12 of the Original Town of Lombard, 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.

**EXHIBIT B**

Lot 5 in J.B. Hull's Subdivision of Lot 3 in Block 19 in Original Town of Lombard, a subdivision of part of the Northeast 1/4 of Section 7, Township 39 North, Range 11, East of the Third Principal Meridian, DuPage County, Illinois;

P.I.N.: 06-07-209-006;

Common Address: 129 West St. Charles Road, Lombard, Illinois.

Lot 4 and 5 in Block 19 in Original Town of Lombard, a subdivision of part of the Northeast 1/4 of Section 7, Township 39 North, Range 11, East of the Third Principal Meridian, along with Lots 6 and 7 in J.B. Hull's Subdivision of Lot 3 in Block 19 in Original Town of Lombard, aforesaid, all in DuPage County, Illinois;

P.I.N.: 06-07-209-004 and -005;

Common Address: 143 West St. Charles Road, Lombard, Illinois.

EXHIBIT C

**FIRST AMENDMENT TO REDEVELOPMENT AGREEMENT FOR THE LILAC SQUARE  
DEVELOPMENT COMPRISING A PART OF THE DOWNTOWN T.I.F. DISTRICT OF  
THE VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS**

THIS FIRST 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 June, 2003.

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 T.I.F. District of the Village of Lombard, DuPage County, Illinois" (hereinafter referred to as the "Redevelopment Agreement"); and

WHEREAS, as a result of the need to provide additional on-site parking relative to the development contemplated by said Redevelopment Agreement, as well as the passage of time as a result of having to address said need for additional on-site parking, certain amendments to said Redevelopment Agreement are necessary; and

WHEREAS, it is in the best interests of the Village and the Developer to make the necessary amendments to the Redevelopment Agreement;

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 the Redevelopment Agreement is hereby amended by substituting the preliminary plans attached hereto as EXHIBIT 4 and made part hereof for EXHIBIT 4 attached to the Redevelopment Agreement.

2. That the Redevelopment Agreement is hereby amended by revising the reference to, "June 1, 2003," in Section II.A. of the Redevelopment Agreement, to read, "June 5, 2003."

3. That the Redevelopment Agreement is hereby amended by revising the reference to, "James R. Duerr," in Section VI.G. of the Redevelopment Agreement, to read, "George A. Skweres."

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

VILLAGE OF LOMBARD,  
a municipal corporation


By:   
Village President

ATTEST:

  
Deputy Village Clerk

NORWOOD-LOMBARD LLC, an  
Illinois limited liability company

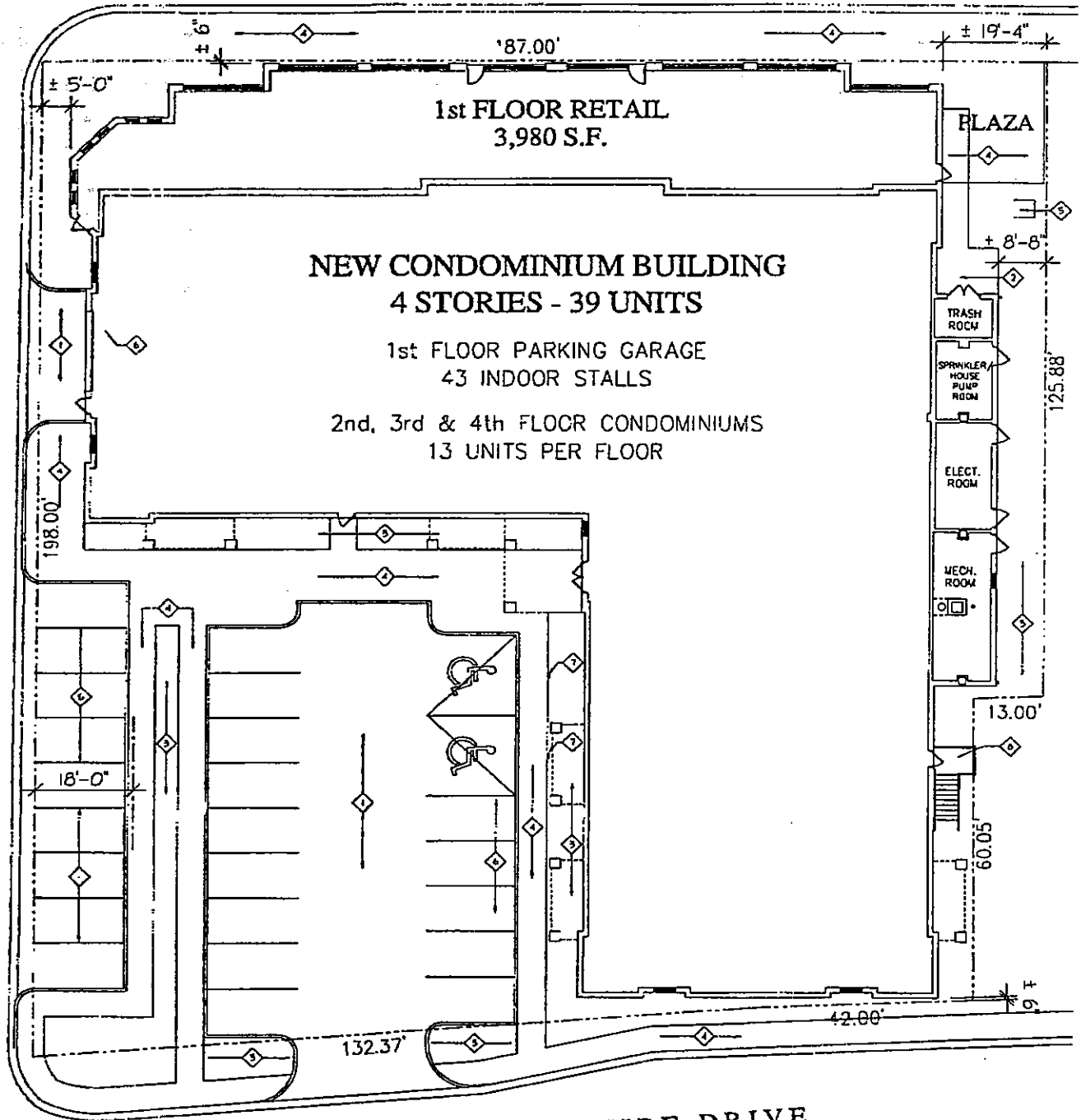
By: Norwood Construction, Inc., an Illinois  
corporation, Company Manager

By:   
Bruce J. Adreani, President



W. ST. CHARLES ROAD

LINCOLN STREET

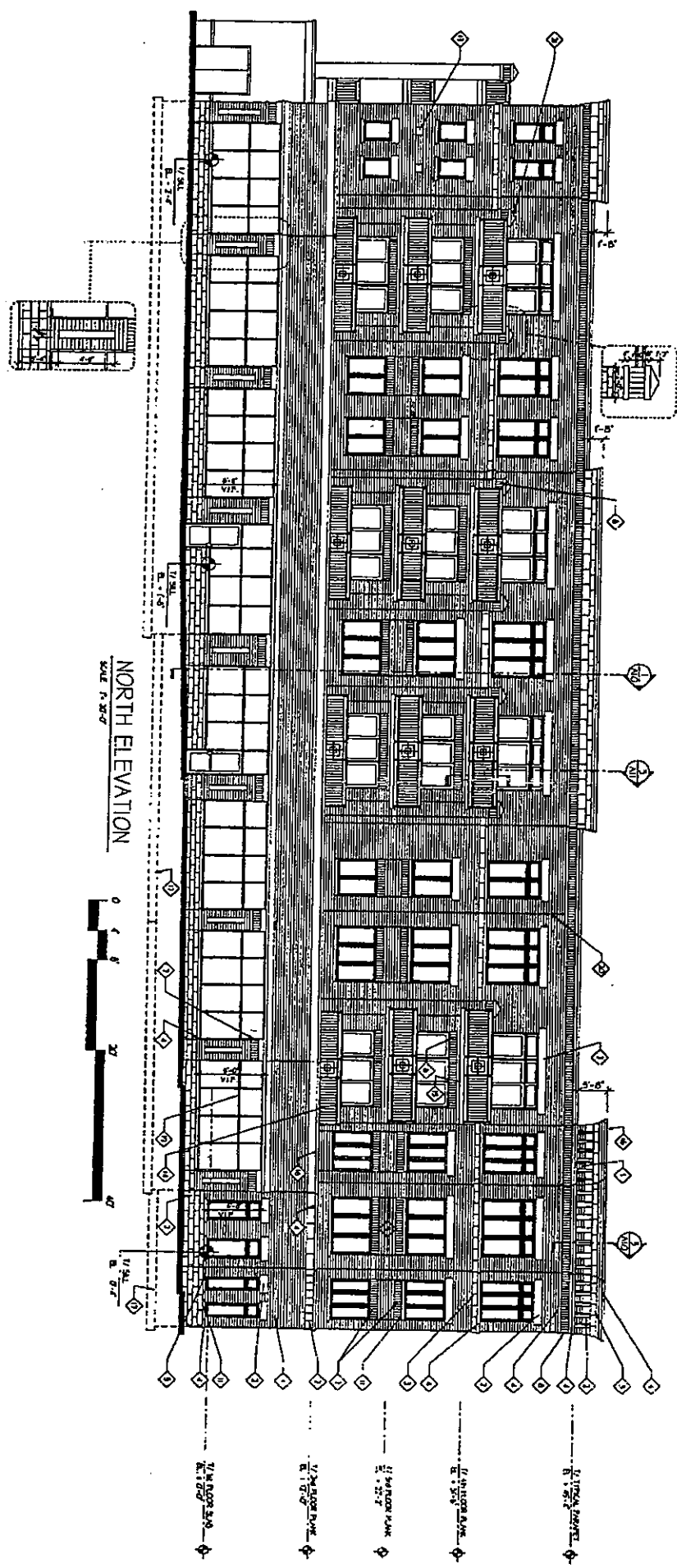


NOTE:  
 REFER TO CIVIL ENGINEERING DRAWINGS  
 FOR FINISH, SITE DIMENSIONS, PAVING  
 MATERIALS & LOCATIONS, AND ALL  
 SITE UTILITIES AND GRADING

SITE PLAN  
 SCALE 1" = 30'-0"



**Exhibit 4 - Preliminary Plans - Site Plan**  
 1st Amendment to Redevelopment Agreement for Lincoln (fka Lilac) Square



**Exhibit 4 - Preliminary Plans - North Elevation**  
 1st Amendment to Redevelopment Agreement for Lincoln (fka Lilac Square)

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