



**FRED BUCHOLZ**  
DUPAGE COUNTY RECORDER  
DEC.29,2011 3:49 PM  
OTHER 06-20-110-006  
037 PAGES R2011-159683

06-20-110-004  
007  
008

**ORDINANCE 6664**

**AUTHORIZING A THIRD AMENDMENT TO  
ORDINANCE 5122, ADOPTED MAY 2, 2002, AS AMENDED  
BY ORDINANCE 5878, ADOPTED JUNE 1, 2006 AS AMENDED  
BY ORDINANCE 5559, ADOPTED OCTOBER 7, 2004,  
AUTHORIZING AN ANNEXATION AGREEMENT**

**Address: 223 & 215 E. Roosevelt Road and 120-124 E. 13<sup>th</sup> Street  
Lombard, IL 60148**

**PIN: 06-20-110-001, 002, 003, 004 and 005**

**Return To:  
Village of Lombard  
255 E. Wilson Avenue  
Lombard, IL 60148**

**ORDINANCE NO. 6664**

**AN ORDINANCE AUTHORIZING A THIRD AMENDMENT  
TO ORDINANCE 5122, ADOPTED MAY 2, 2002,  
AS AMENDED BY ORDINANCE 5878, ADOPTED JUNE 1, 2006 AS AMENDED BY  
ORDINANCE 5559, ADOPTED OCTOBER 7, 2004,  
AUTHORIZING AN ANNEXATION AGREEMENT**

(PC 11-21; 223 & 215 E. Roosevelt and 120 – 124 E. 13th Street  
(V-Land Planned Development))

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; as amended by Ordinance 5559, adopted October 7, 2004; as amended by Ordinance 5878, adopted June 1, 2006 (hereinafter "the Third 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 5878, amending Section (5)(b)(v) to read as follows:

- (v) The West end-cap tenant space within the multi-tenant retail building shall be developed as a single sit-down restaurant of at least 5,491 square feet in size. The remainder of the multi-tenant retail building shall not be subdivided or partitioned to have more than six (6) separate tenant spaces or business establishments.

WHEREAS, a public hearing was held by the Village's Plan Commission on October 17, 2011, 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 Third 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, 2002, and Ordinance 5559, adopted October 7, 2004 and Ordinance 5878, adopted June 1, 2006 is hereby further amended to include the Third 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 Third Amendment.

SECTION 3: This Ordinance is limited and restricted to the properties generally located at 215 & 223 E. Roosevelt and 120 - 124 E. 13th Street (a.k.a., the V-Land Planned Development), Lombard, Illinois; legally described as follows:

LOTS 1 TO 3 IN V-LAND LOMBARD HIGHLAND RESUBDIVISION, BEING A SUBDIVISION OF PART OF THE WEST ONE-HALF OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 12, 2006 AS DOCUMENT R2006-197358, IN DUPAGE COUNTY, ILLINOIS.

Parcel Numbers: 06-20-110-006, 007 & 008

SECTION 4: That all other portions of Ordinance Number 5122, adopted May 2, 2002, Ordinance Number 5559, adopted October 7, 2004, Ordinance Number 5878, adopted June 1, 2006 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 \_\_\_\_\_, 2011.

First reading waived by action of the Board of Trustees this 17<sup>th</sup> day of November, 2011.

Passed on second reading this 17<sup>th</sup> day of November, 2011.

Ayes: President Mueller, Trustees Gron, Giagnorio, Wilson, Breen, Fitzpatrick and Ware

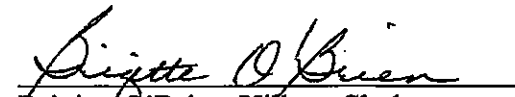
Nays: None

Absent: None


Approved this 17<sup>th</sup> day of November, 2011.

  
William J. Mueller, Village President

ATTEST:

  
Brigitte O'Brien, Village Clerk

Published by me this 18<sup>th</sup> day of November, 2011.

  
Brigitte O'Brien, Village Clerk

**Space Above This Line Is for the Recorder's Use Only**

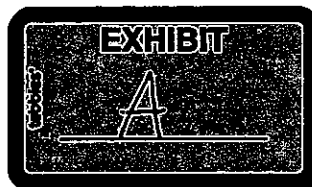
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**THIRD AMENDMENT TO ANNEXATION AGREEMENT  
BY AND BETWEEN  
VLAND LOMBARD HIGHLAND, LLC  
AND THE  
VILLAGE OF LOMBARD**

After recording, please return to:  
Village of Lombard  
Department of Community Development  
255 E. Wilson Avenue  
Lombard, IL 60148

PERMANENT INDEX NUMBERS: 06-20-110-006, 007 & 008

COMMON STREET ADDRESS: **215 & 223 E. Roosevelt and 120 – 124 E. 13<sup>th</sup> Street  
Lombard, Illinois**



**THIRD AMENDMENT TO ANNEXATION AGREEMENT**

**THIS THIRD AMENDMENT TO ANNEXATION AGREEMENT** ("The **Third Amendment**") is made and entered into as of this 17<sup>th</sup> day of November, 2011, by and between the Village of Lombard, a municipal corporation (the "**Village**") and Vland Lombard Highland LLC, an Illinois limited liability company (the "**Developer**"). (The Developer and the Village are hereinafter sometimes referred to herein individually as a "**Party**" and collectively as the "**Parties**".)

**WITNESSETH:**

**WHEREAS**, Developer is the record owner of the property legally described in **EXHIBIT A** attached to the Amended Agreement, as defined below (the "**Property**"); and

**WHEREAS**, Developer is also the record owner of that certain property legally described on **EXHIBIT B** attached to the Amended Agreement, as defined below (the "**Adjacent Property**"); and

**WHEREAS**, Developer acquired the Property from BP Products North America Inc., a Maryland corporation (the "**Prior Owner**"); and

**WHEREAS**, the Village and the Prior Owner previously entered into an Annexation Agreement, dated May 2, 2002, that governs the annexation, zoning and development of the Property and that was recorded against the Property with the DuPage County Recorder on September 30, 2002 as Document Number R2002-252316 (the "**Agreement**"); and

**WHEREAS**, pursuant to the Agreement, the Property has been annexed to the Village and has been rezoned to the B-3 Community Shopping District with certain conditional uses as more fully set forth in the Agreement; and

**WHEREAS**, the Village and the Developer previously entered into a First Amendment to the Agreement, dated October 7, 2004, (the "**First Amendment**") that governed the annexation, zoning and development of the Property and the Adjacent Property, and that was recorded against the Property and the Adjacent Property with the DuPage County Recorder on December 3, 2004 as Document Number R2004-305031; and

**WHEREAS**, the Village and the Developer previously entered into a Second Amendment to the Agreement, dated June 1, 2006, (the "**Second Amendment**") that governed the annexation, zoning and development of the Property and the Adjacent Property, and that was recorded against the Property and the Adjacent Property with the DuPage County Recorder on October 31, 2006 as Document Number R2006-209821 (the Agreement, as amended by the First Amendment and the Second Amendment, being hereinafter referred to as the "**Amended Agreement**"); and

**WHEREAS**, the Developer desires to amend the development plans for the Property in a manner not allowed by the Amended Agreement, and also desires to develop the Property in a manner that is inconsistent with the provisions of the Amended Agreement, therefore, the Developer desires to amend the Amended Agreement in certain respects as hereinafter more fully set forth; including, without limitation, with respect to the provisions concerning (1) the conditional uses that were previously approved for the Property, (2) and a conditional use for a financial institution; and

**WHEREAS**, in furtherance of the foregoing, Developer has filed an application with the Village Clerk requesting (1) approval of a planned development amendment in the B4A Community Shopping District and (2) conditional use for a financial institution (the "**Developer's Third Application**"); and

**WHEREAS**, the Developer's Third Application was forwarded to the Plan Commission of the Village; and

**WHEREAS**, a public hearing on the Developer's Third Application was conducted by the Village's Plan Commission on October 17, 2011 pursuant to appropriate and legal notice, and the Plan Commission has submitted to the Corporate Authorities of the Village (the "**Corporate Authorities**") its findings of fact and recommendations with respect to the Developer's Third Application; and

**WHEREAS**, a public hearing on this Amendment was held by the Corporate Authorities on the 3<sup>r</sup> day of November, 2011; and

**WHEREAS**, the Parties wish to enter into a binding agreement with respect to the amendment of the Amended Agreement upon and subject to the terms and conditions contained in this Third Amendment; and

**WHEREAS**, all public hearings and other actions required to be held or taken prior to the adoption and execution of this Amendment, in order to make the same effective, have been held or taken, including all hearings and actions required in connection with amendments to, variations from and classifications under the Lombard Zoning Ordinance (Chapter 155 of the Lombard Village Code – hereinafter the "**Zoning Ordinance**"), the Lombard Subdivision and Development Ordinance (Chapter 154 of the Lombard Village Code – hereinafter the "**Subdivision Ordinance**"), and the Lombard Sign Ordinance (Chapter 153 of the Lombard Village Code – hereinafter the "**Sign Ordinance**"), such public hearings and other actions having been held pursuant to public notice as required by law and in accordance with all requirements of law prior to adoption and execution of this Amendment; and

**WHEREAS**, the Corporate Authorities of the Village and the Developer deem it to the mutual advantage of the Parties and in the public interest that the Property and the Adjacent Property be developed as a part of the Village as provided in the Amended Agreement as amended by this Third Amendment; and

**WHEREAS**, the development of the Property and the Adjacent Property as provided in the Amended Agreement, as amended by this Third Amendment, will promote the sound planning and development of the Village as a balanced community and will be beneficial to the Village; and

**WHEREAS**, the Corporate Authorities of the Village have examined the proposed uses by Developer and have determined that said uses and the development of the Property and the Adjacent Property in accordance with the terms of the Amended Agreement, as amended by this Third Amendment, comply with the Comprehensive Plan of the Village; and

**WHEREAS**, Corporate Authorities and the Developer desire to amend the Amended Agreement as hereinafter set forth;

**NOW, THEREFORE**, in consideration of the premises and the mutual promises herein set forth, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the Parties, the Parties hereto agree as follows:

1. **Incorporation of Recitals**: The Village and the Developer agree that the foregoing recitals are incorporated in this Third Amendment as if fully recited herein.

2. **Development of the Subject Property**: The Village and the Developer agree that the Property (hereinafter collectively referred to as the "**Subject Property**") and legally described in Exhibit J attached hereto and made part hereof) shall be developed in accordance with the terms of the Amended Agreement as amended by this Third Amendment.

3. **Certain Capitalized Terms**. All references in the Amended Agreement to the term "**Subject Property**" shall mean and refer to the Subject Property as defined in this Third Amendment.

4. **Site Plan Approval**: Section 5(b)(v) of the Amended Agreement is revised to read in its entirety as follows:

(v) "The West end-cap tenant space within the multi-tenant retail building shall be developed as a single sit-down restaurant of at least 5,491 square feet in size. The remainder of the multi-tenant retail building shall not be subdivided or partitioned to have more than six (6) separate tenant spaces or business establishments."


5. **Effectiveness of the Amended Agreement**. The Amended Agreement (including the exhibits that are a part thereof), except to the extent expressly amended by this Third Amendment, remains in full force and effect. In the event of any conflict between the expressly stated provisions of this Third Amendment and the expressly



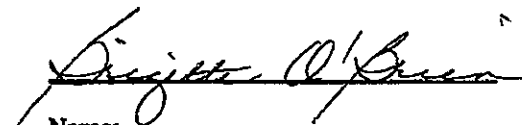
stated provisions of the Amended Agreement, this Third Amendment shall govern and control.

**IN WITNESS WHEREOF**, the Parties hereto have set their hands and seals to this Third Amendment as of the day and year first above written.

**VILLAGE OF LOMBARD, an Illinois  
Municipal corporation**

By:   
Name: \_\_\_\_\_

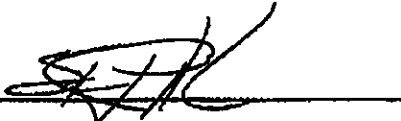
Title: Its President

  
Name: \_\_\_\_\_

Title: Village Clerk

**DEVELOPER**

**VLAND LOMBARD HIGHLAND, LLC**

By:   
Name: Steven J. Panko

Title: Its Manager

**EXHIBIT A**

**LEGAL DESCRIPTION OF THE PROPERTY**

LOTS 1, 2 AND 3 AND THE EAST 21 FEET OF LOT 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.

**EXHIBIT B**

**LEGAL DESCRIPTION OF THE ADJACENT PROPERTY**

**PARCEL 1:**

LOT 4 (EXCEPT THE EAST 21 FEET) IN ROOSEVELT HIGHLANDS SHOPPING CENTER, A SUBDIVISION OF PART OF THE WEST ½ OF THE NORTHWEST ¼ 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 DUPAGE COUNTY, ILLINOIS.

**PARCEL 2:**

LOT 1 IN MERL RESUBDIVISION OF LOT 33, EXCEPT THE WEST 25 FEET THEREOF, ALL OF LOTS 34, 35, 36, 37, 38, 39 AND 40, ALL IN HARRISON HOMES, INC. LOMBARD VILLA UNIT NUMBER 2, BEING A SUBDIVISION OF PART OF WEST ½ OF THE NORTHWEST ¼ 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 R76-84675, IN DUPAGE COUNTY, ILLINOIS.

**PARCEL 3:**

LOT 2 MERL RESUBDIVISION OF LOT 33, EXCEPT THE WEST 25 FEET THEREOF, ALL OF LOTS 34, 35, 36, 37, 38, 39 AND 40, ALL IN HARRISON HOMES, INC. LOMBARD VILLA UNIT NUMBER 2, BEING A SUBDIVISION OF PART OF WEST ½ OF THE NORTHWEST ¼ 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 R76-84675, IN DUPAGE COUNTY, ILLINOIS.

**EXHIBIT J**

**LEGAL DESCRIPTION OF THE SUBJECT PROPERTY**

**LOTS 1 TO 3 IN V-LAND LOMBARD HIGHLAND RESUBDIVISION, BEING A SUBDIVISION OF PART OF THE WEST ONE-HALF OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 12, 2006 AS DOCUMENT R2006-197358, IN DUPAGE COUNTY, ILLINOIS.**

**Parcel Numbers: 06-20-110-006, 007 & 008**

**215 & 223 E. Roosevelt and 120 - 124 E. 13<sup>th</sup> Street  
Lombard, Illinois**

CERTIFICATE OF PUBLICATION

STATE OF ILLINOIS }  
COUNTY OF DUPAGE } SS.

I, Bonnie Lee Mackay, do hereby certify that Scott Mackay, the associate publisher of the Lombardian, which is now and has been for more than one year prior to the first publication of this notice hereto annexed, a weekly newspaper of general circulation, printed and published in the Village of Lombard in said County, and that the said advertisement or notice relating to the matter of Village of Lombard Publication of Legal Notice #49671 has been published in said paper consecutively of the issues commencing October 19, A.D. 2011, and ending October 19, A.D. 2011, which are the dates of the first and last papers containing the same.

Given under my hand this 19th day of October, A.D. 2011.

Printer's Fee \$ 69.71  
Paid 2011

By:

Bonnie Lee

Associate Publisher

Scott Mackay

Copy of N

NOTICE OF PUBLIC HEARING

The Village Board of Trustees hereby provides notice that a public hearing will be conducted to consider a proposed amendment to the Annexation Agreement for the property referenced below:

Village of Lombard, Highland, LLC  
request: approval of an amendment to the annexation agreement with the Village of Lombard.

The petition is referred to as PC-11-21. The planned development is located at 215 E. 228 E. Roosevelt Road and 120-124 E. 18th Street and the subject property is located at 215 E. Roosevelt Road, Lombard, Illinois, and is legally described as:

LOTS 1 TO 3 IN VILLAGE OF LOMBARD, ILLINOIS, RESUBDIVISION BEING A SUBDIVISION OF PART OF THE WEST ONE HALF OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 12, 2006 AS DOCUMENT # 2006-07358, IN DUPAGE COUNTY, ILLINOIS.

The public hearing to consider this petition is scheduled for:

Date: Thursday, Nov. 3, 2011  
Time: 7:30 PM

Location: Lombard Village Hall, 255 E. Wilson Avenue, Lombard, IL 60148

For more information, please visit our website.

Department of Community Development  
255 East Wilson Avenue  
Lombard, Illinois 60148  
630.620.5749  
(TDD) No. 630.673-453

All persons desiring to comment on the proposed request will be given an opportunity to do so at a public hearing. Written statements are encouraged and will be distributed to the Board of Trustees and the petitioner if received at the Village Hall, 255 East Wilson Avenue, Lombard, IL, on or before October 27, 2011. The public hearing is scheduled to be held at the Village Center, Lombard, Illinois. Interested parties are also encouraged to attend the public hearing.

Bonnie Lee  
Village Clerk

OF  
BONN  
NOTARY PU  
MY COMM

Case Number: PC-11-21  
Parcel Numbers: 065-20-110-006



## AFFIDAVIT

Now comes Janet Downer, an employee of the Village of Lombard after being duly sworn and under oath states as follows:

That on October 14, 2011, I deposited into the U.S. Mail in the Village of Lombard the attached "Notice of Amendment to an Annexation Agreement" which was sent out via Certified Mail to the person listed on the Notice.

THE VILLAGE OF LOMBARD

By: *Janet Downer*

SUBSCRIBED and SWORN  
to before me this 14<sup>th</sup> day  
of OCTOBER, 2011.

*Michael Stephan Toth*  
NOTARY PUBLIC



**RETURN TO:**  
Village of Lombard  
255 E. Wilson Avenue  
Lombard IL 60148



**NOTICE OF AN AMENDMENT TO AN ANNEXATION AGREEMENT  
VILLAGE OF LOMBARD**

TO:

GLENBARD FIRE PROTECTION DISTRICT

Ronald G. Berquist, President  
1299 South Lloyd Ave  
Lombard, IL 60148

Wilfred J. Perreault, Treasurer  
1 South 105 Lloyd Ave.  
Lombard, IL 60148

Ronald C. Smith, Secretary  
2 S 121 Ivy Lane  
Lombard IL 60148

Maureen Calabrese Strauts, Attorney  
Martin, Craig, Chester & Sonnenschein  
2215 York Road, Suite 550  
Oak Brook IL 60523

**Re: PC 11-21: 215 E. Roosevelt Road (subject property)  
The planned development is located at 215 & 223 E. Roosevelt Road and 120-124 E.  
13<sup>th</sup> Street, Lombard, Illinois**

V-Land Lombard Highland LLC requests approval of an amendment  
to the annexation agreement with the Village of Lombard

You and each of you are hereby notified that the Village of Lombard, County of DuPage, will consider approval of an amendment to the Annexation Agreement for the referenced property pursuant to the provisions of Chapter 65 ILCS 5/11-15.1-1 et. seq. of the Illinois State Statutes at the following time and place:

DATE: Thursday, November 3, 2011

TIME: 7:30 P.M.

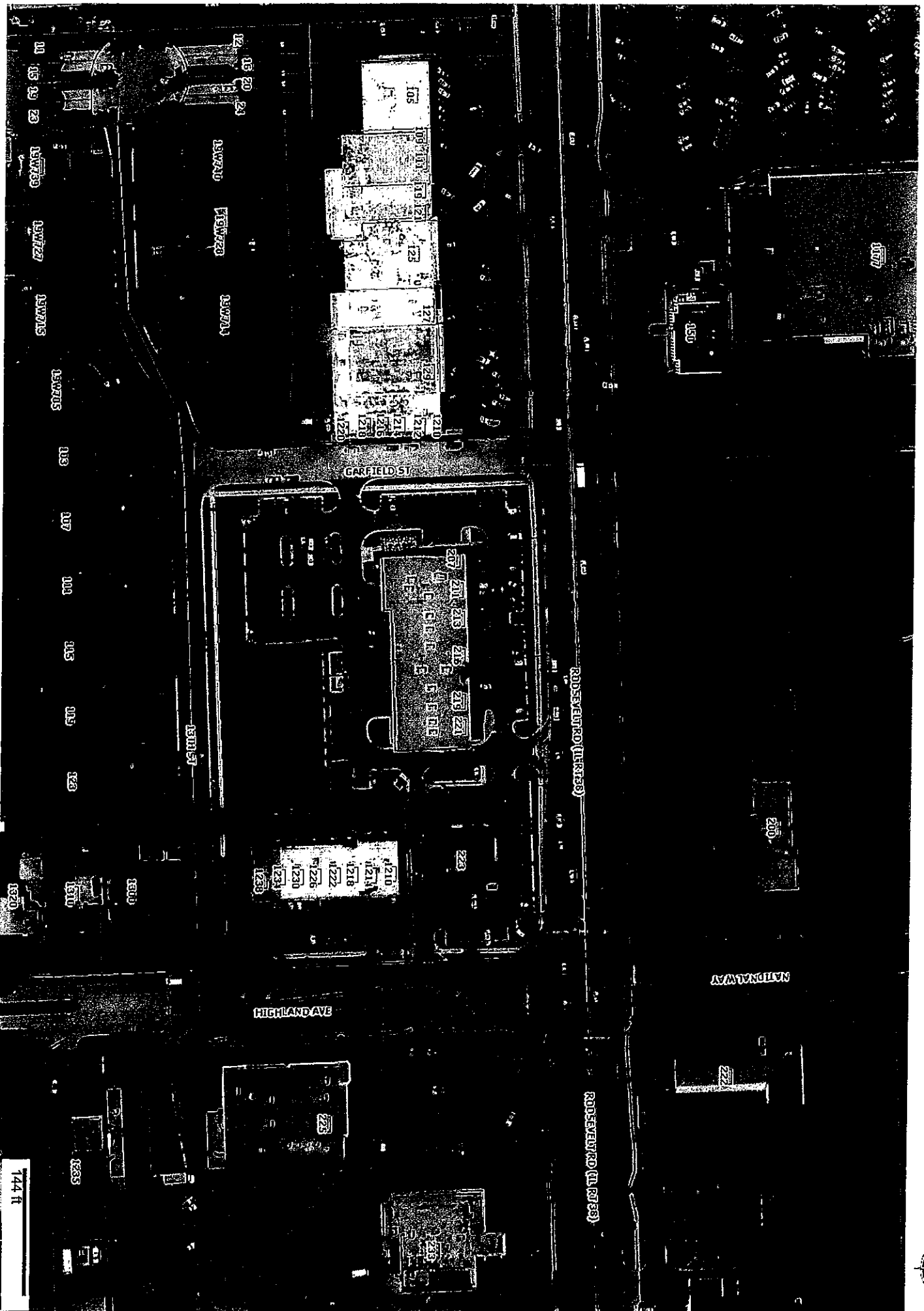
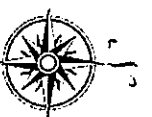
LOCATION: Board Room  
Lombard Village Hall  
255 E. Wilson  
Lombard, IL 60148

A legal description and a location map of the property are attached. If there are any questions or comments regarding this annexation, please contact the Village of Lombard, Department of Community Development.

Brigitte O'Brien  
Village Clerk

Date: October 14, 2011

PC 11-21: 215 E. Roosevelt Road (V-Land Planned Development)



144 ft



## LEGAL DESCRIPTION

**PC 11-21:** The planned development is located at 215 & 223 E. Roosevelt Road and 120-124 E. 13<sup>th</sup> Street and the subject property is located at 215 E. Roosevelt Road, Lombard, Illinois, and is legally described as:

LOTS 1 TO 3 IN V-LAND LOMBARD HIGHLAND RESUBDIVISION, BEING A SUBDIVISION OF PART OF THE WEST ONE-HALF OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 12, 2006 AS DOCUMENT R2006-197358, IN DUPAGE COUNTY, ILLINOIS.

Parcel Numbers: 06-20-110-006, 007 & 008

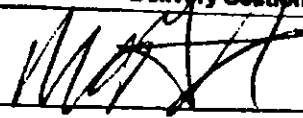


Date: 10/19/2011

J D:

The following is in response to your 10/19/2011 request for delivery information on your Certified Mail(TM) item number 7108 2133 3935 9426 3962. The delivery record shows that this item was delivered on 10/17/2011 at 01:00 PM in OAK BROOK, IL 60523. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section	
Signature	
Name	Martha Diamond

Address of Recipient:

Address	2215 York R, suite 550, Oak Brook
---------	-----------------------------------

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service



Date: 10/17/2011

J.D:

The following is in response to your 10/17/2011 request for delivery information on your Certified Mail(TM) item number 7108 2133 3935 9426 3986. The delivery record shows that this item was delivered on 10/15/2011 at 11:22 AM in LOMBARD, IL 60148. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section	
Signature	<i>Wilfred J. Perreault</i>
Printed Name	Wilfred J. Perreault

Address of Recipient:

Delivery Address	15105 Wood
------------------	------------

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service



Date: 10/17/2011

JANET DOWNER:

The following is in response to your 10/17/2011 request for delivery information on your Certified Mail(TM) item number 7108 2133 3935 9426 3979. The delivery record shows that this item was delivered on 10/15/2011 at 11:15 AM in LOMBARD, IL 60148. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section	
Signature	<i>Flaine Berquist</i>
Printed Name	FLAINE BERQUIST

Address of Recipient:

Delivery Address	1299 Wagon
------------------	------------

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service



Date: 10/17/2011

J D:

The following is in response to your 10/17/2011 request for delivery information on your Certified Mail(TM) item number 7108 2133 3935 9426 3993. The delivery record shows that this item was delivered on 10/15/2011 at 02:13 PM in LOMBARD, IL 60148. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section	
Signature	<i>Ronald C Smith</i>
Name	RONALD C. SMITH

Address of Recipient:

Address	121 Jun line
---------	--------------

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service



## AFFIDAVIT

Now comes Janet Downer, an employee of the Village of Lombard after being duly sworn and under oath states as follows:

That on October 14, 2011, I deposited into the U.S. Mail in the Village of Lombard the attached "Notice of Amendment to an Annexation Agreement" which was sent out via Certified Mail to the person listed on the Notice.

THE VILLAGE OF LOMBARD

By: \_\_\_\_\_

SUBSCRIBED and SWORN  
to before me this 14<sup>TH</sup> day  
of OCTOBER, 2011.

\_\_\_\_\_  
NOTARY PUBLIC



**RETURN TO:**  
Village of Lombard  
255 E. Wilson Avenue  
Lombard IL 60148



**NOTICE OF ANNEXATION OF PROPERTY INTO  
THE VILLAGE OF LOMBARD**

TO: YORK TOWNSHIP  
1502 S. Meyers Road  
Lombard, IL 60148

Supervisor: John W. Valle

Clerk: Daniel J. Kordik

Assessor: Deanna Wilkins

Trustees: Paul Hinds  
Barbara Finn  
Anthony Cuzzone  
M. Moon Khan

Highway Commissioner  
Richard L. Schroeder  
19W 475 Roosevelt Road  
Lombard, IL 60148

**Re: PC 11-21: 215 E. Roosevelt Road (subject property)  
The planned development is located at 215 & 223 E. Roosevelt Road and 120-124 E.  
13<sup>th</sup> Street, Lombard, Illinois**

V-Land Lombard Highland LLC requests approval of an amendment  
to the annexation agreement with the Village of Lombard

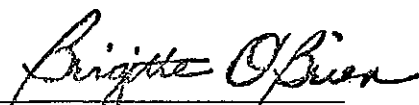
You and each of you are hereby notified that the Village of Lombard, County of DuPage, will consider approval of an amendment to the Annexation Agreement for the referenced property pursuant to the provisions of Chapter 65 ILCS 5/11-15.1-1 et. seq. of the Illinois State Statutes at the following time and place:

DATE: Thursday, November 3, 2011

TIME: 7:30 P.M.

LOCATION: Board Room  
Lombard Village Hall  
255 E. Wilson  
Lombard, IL 60148

A legal description and a location map of the property are attached. If there are any questions or comments regarding this annexation, please contact the Village of Lombard, Department of Community Development.

  
\_\_\_\_\_  
Brigitte O'Brien  
Village Clerk

Date: October 14, 2011

## LEGAL DESCRIPTION

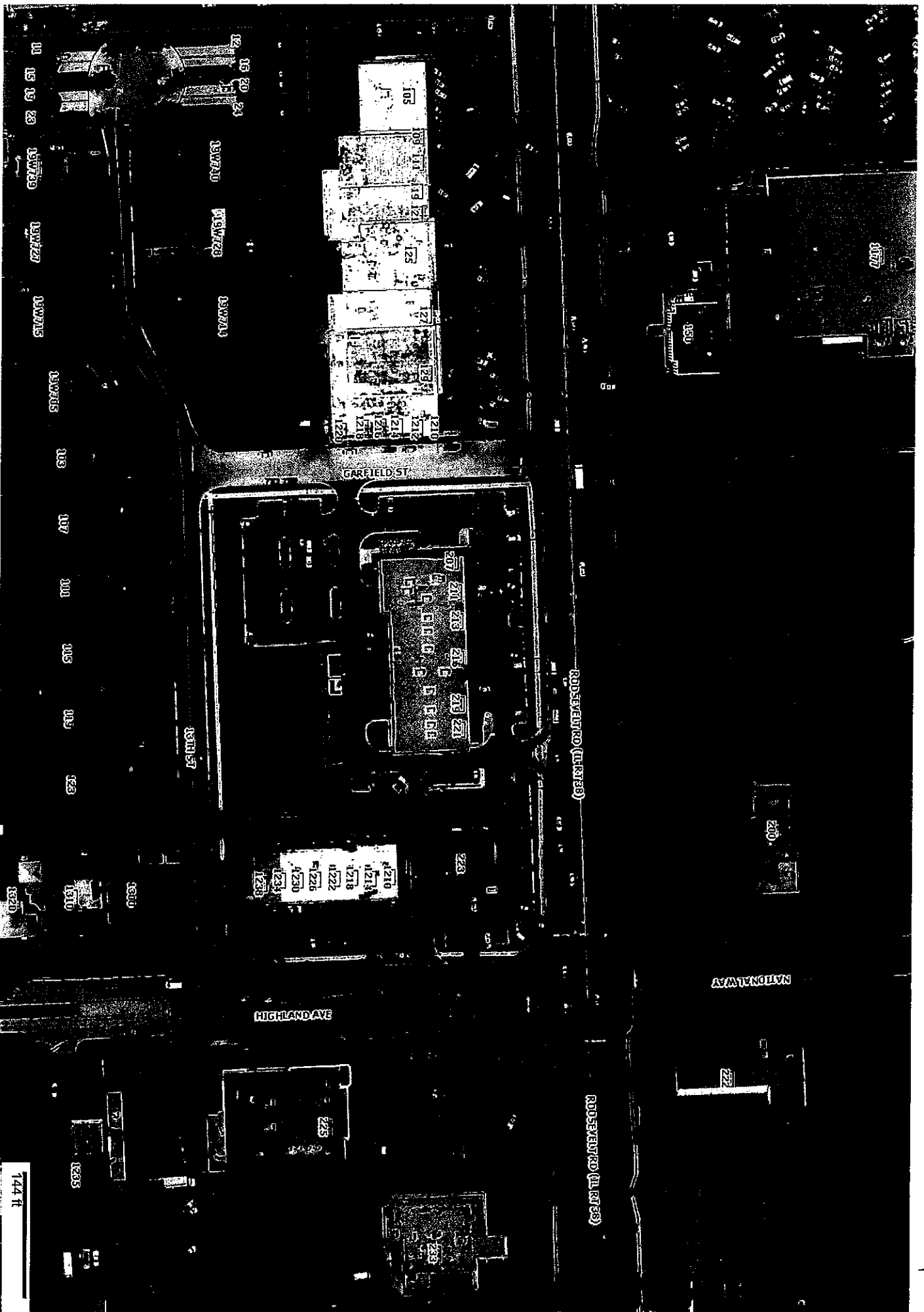
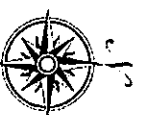
**PC 11-21:** The planned development is located at 215 & 223 E. Roosevelt Road and 120-124 E. 13<sup>th</sup> Street and the subject property is located at 215 E. Roosevelt Road, Lombard, Illinois, and is legally described as:

LOTS 1 TO 3 IN V-LAND LOMBARD HIGHLAND RESUBDIVISION, BEING A SUBDIVISION OF PART OF THE WEST ONE-HALF OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 12, 2006 AS DOCUMENT R2006-197358, IN DUPAGE COUNTY, ILLINOIS.

Parcel Numbers: 06-20-110-006, 007 & 008



PC 11-21: 215 E. Roosevelt Road (V-Land Planned Development)





Date: 10/25/2011

J D:

The following is in response to your 10/25/2011 request for delivery information on your Certified Mail(TM) item number 7108 2133 3935 9426 3917. The delivery record shows that this item was delivered on 10/19/2011 at 03:58 PM in LOMBARD, IL 60148. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section	
no	Madi Hejdel
1	YORK Township

Address of Recipient:

y	1502 E MEYERS
---	---------------

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service



**UNITED STATES  
POSTAL SERVICE**

Date: 10/25/2011

J D:

The following is in response to your 10/25/2011 request for delivery information on your Certified Mail(TM) item number 7108 2133 3935 9426 3900. The delivery record shows that this item was delivered on 10/19/2011 at 03:58 PM in LOMBARD, IL 60148. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section	
no	Madii Hajdel
1	YORK Township

Address of Recipient:

Y	1502E MEYERS
---	--------------

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service



**UNITED STATES  
POSTAL SERVICE.**

Date: 10/25/2011

J D:

The following is in response to your 10/25/2011 request for delivery information on your Certified Mail(TM) item number 7108 2133 3935 9426 3924. The delivery record shows that this item was delivered on 10/19/2011 at 03:58 PM in LOMBARD, IL 60148. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section	
NO	Madi Hajdel
I	YORK Township

Address of Recipient:

Y	1502 E MEYERS
---	---------------

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service



Date: 10/25/2011

J D:

The following is in response to your 10/25/2011 request for delivery information on your Certified Mail(TM) item number 7108 2133 3935 9426 3887. The delivery record shows that this item was delivered on 10/21/2011 at 10:42 AM in LOMBARD, IL 60148. The scanned image of the recipient information is provided below.

Signature of Recipient:

Madia Hajdul  
York Township

Address of Recipient:

1502 E MEYERS

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service



Date: 10/25/2011

J D:

The following is in response to your 10/25/2011 request for delivery information on your Certified Mail(TM) item number 7108 2133 3935 9426 3870. The delivery record shows that this item was delivered on 10/21/2011 at 10:42 AM in LOMBARD, IL 60148. The scanned image of the recipient information is provided below.

Signature of Recipient:

Madia Hajdul  
YORK TOWNSHIP

Address of Recipient:

1502 E MEYERS

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service



Date: 10/25/2011

J D:

The following is in response to your 10/25/2011 request for delivery information on your Certified Mail(TM) item number 7108 2133 3935 9426 3955. The delivery record shows that this item was delivered on 10/21/2011 at 10:42 AM in LOMBARD, IL 60148. The scanned image of the recipient information is provided below.

Signature of Recipient:

Handwritten signature: Madia Hajdul  
York Township

Address of Recipient:

Handwritten address: 1502 E MEYERS

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service



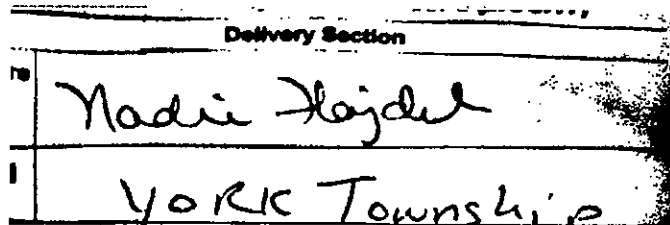
**UNITED STATES  
POSTAL SERVICE.**

Date: 10/25/2011

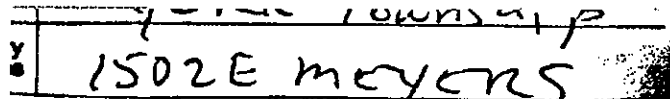
J D:

The following is in response to your 10/25/2011 request for delivery information on your Certified Mail(TM) item number 7108 2133 3935 9426 3948. The delivery record shows that this item was delivered on 10/19/2011 at 03:58 PM in LOMBARD, IL 60148. The scanned image of the recipient information is provided below.

Signature of Recipient:



Address of Recipient:



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service





Date: 10/25/2011

J D:

The following is in response to your 10/25/2011 request for delivery information on your Certified Mail(TM) item number 7108 2133 3935 9426 3931. The delivery record shows that this item was delivered on 10/19/2011 at 03:58 PM in LOMBARD, IL 60148. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section	
no	Nadia Hajdel
1	YORK Township

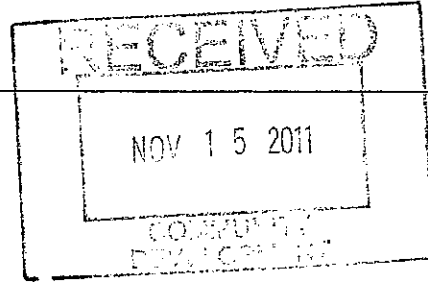
Address of Recipient:

Y	1502 E MEYERS
---	---------------

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service



November 14, 2011

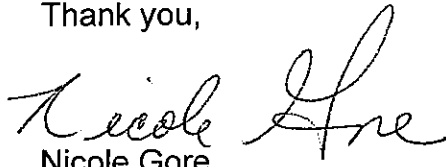
Richard Schroeder  
C/O Highway Commissioner  
19W475 Roosevelt rd  
Lombard IL 60148

Dear Postal Customer:

On October 15, 2011, a certified letter (#9171082133393594263894) was attempted to be delivered to your facility. The sender was "The Village of Lombard". Currently, our internet web page shows this letter was attempted and brought back to the Lombard Post Office. Unfortunately this letter has since been misplaced and can not be located at our facility. Please accept this letter as proof that an attempt was made to contact you by certified mail, from the Village of Lombard.

If you have any questions, please contact the Lombard Post Office at (630)627-1864.

Thank you,

  
Nicole Gore  
A/SCS



Track/Confirm - Intranet Item Inquiry - Domestic

**Tracking Label: 9171 0821 3339 3594 2638 94**

<b>Destination</b>	<b>ZIP Code:</b> 60148-4633	<b>City:</b> LOMBARD	<b>State:</b> IL
<b>Origin</b>	<b>ZIP Code:</b> 60199	<b>City:</b> CAROL STREAM	<b>State:</b> IL

---

**Class/Service:** First-Class Certified Mail

Service Calculation Information

**Service Performance Date**  
Scheduled Delivery Date: 10/17/2011

**Zone:** 01

**Electronic File Number:** 5008 2133 3930 4911 4471

**Manifest Type:** 7 - CERTIFIED

**Date/Time Tendering Mail:** 10/14/2011 14:57

**PO Box?:** N

<b>Special Services</b>	<b>Associated Labels</b>	<b>Amount</b>
RETURN RECEIPT (ELECTRONIC)		\$1.15

Event	Date/Time	Location	Scanner ID
NOTICE LEFT	10/15/2011 09:22	LOMBARD, IL 60148	030SHQ0GV5
	<b>Input Method:</b> Scanned		
	<a href="#">Request Delivery Record</a>		
ARRIVAL AT UNIT	10/15/2011 04:58	LOMBARD, IL 60148	030SHFR562
	<b>Input Method:</b> Scanned		
ENROUTE/PROCESSED	10/15/2011 01:53	CAROL STREAM, IL 60199	DBCS-020
	<b>Input Method:</b> Scanned		
ORIGIN ACCEPTANCE	10/15/2011 01:52	CAROL STREAM, IL 60199	
	<b>Input Method:</b> System Generated		
ELECTRONIC SHIPPING INFO RECEIVED	10/14/2011 23:34	LOMBARD, IL 60148	
	<b>Input Method:</b> System Generated		

**Enter Request Type and Item Number:**

Quick Search  Extensive Search

[Explanation of Quick and Extensive Searches](#)

English

Customer Service

USPS Mobile

*nicole*

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Quick Tools

Ship a Package

Send Mail

Manage Your Mail

Shop

Business Solutions

## Track & Confirm

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[PRINT DETAILS](#)

YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
9171082133393594263894	First-Class Mail®	Notice Left	October 15, 2011, 9:22 am	LOMBARD, IL 60148	Return Receipt Electronic

www.usps.com/redelivery or calling 800-ASK-USPS, or may pick up the item at the Post Office indicated on the notice. If this item is unclaimed after 15 days then it will be returned to the sender. Information, if available, is updated periodically throughout the day. Please check again later. >

Arrival at Unit	October 15, 2011, 4:58 am	LOMBARD, IL 60148
Processed through USPS Sort Facility	October 15, 2011, 1:53 am	CAROL STREAM, IL 60199
Accepted at USPS Origin Sort Facility	October 15, 2011, 1:52 am	CAROL STREAM, IL 60199
Electronic Shipping Info Received	October 14, 2011	

### Check on Another Item

What's your label (or receipt) number?



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- [Terms of Use >](#)
- [FOIA >](#)
- [No FEAR Act EEO Data >](#)

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I, **Denise R. Kalke**, 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 6664

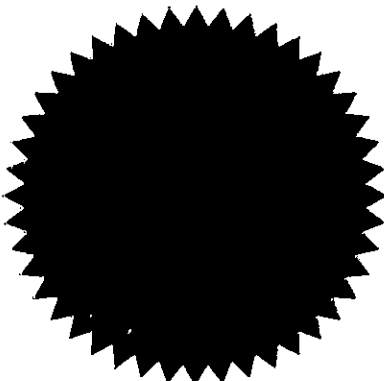
GRANTING A THIRD AMENDMENT TO  
ORDINANCE 5122, ADOPTED MAY 2, 2002, AS  
AMENDED BY ORDINANCE 5878, ADOPTED JUNE 1,  
2006 AS AMENDED BY ORDINANCE 5559, ADOPTED  
OCTOBER 7, 2004, AUTHORIZING AN ANNEXATION  
AGREEMENT

PIN : 06-20-110-001, 002, 003, 004 and 005

ADDRESS: 223 & 215 E. Roosevelt Road and 120-124 E. 13th  
Street, Lombard IL 60148

of the said Village as it appears from the official  
records of said Village duly approved this 17<sup>th</sup>  
day of November, 2011.

**In Witness Whereof**, I have hereunto affixed my official signature and  
the Corporate Seal of said **Village of Lombard**, Du Page County,  
Illinois this 30<sup>th</sup> day of November, 2011.



Denise R. Kalke  
Deputy Village Clerk  
Village of Lombard  
DuPage County, Illinois