

FRED BUCHOLZ
DUPAGE COUNTY RECORDER
MAR.01,2007 4:07 PM
OTHER 03-31-204-002
006 PAGES R2007-037355

ORDINANCE 5964

**GRANTING A TIME EXTENSION TO ORDINANCE 5794,
RELATIVE TO THE O'HARE/DUPAGE BUSINESS PARK
PLANNED DEVELOPMENT**

PIN: 03-31-204-002 and 004

Address: 1301 N. Lombard Road, Lombard

Return To:

**Village of Lombard
Department of Community Development
255 E. Wilson Avenue
Lombard, IL 60148**

ORDINANCE NO. 5964

**AN ORDINANCE GRANTING
A TIME EXTENSION TO ORDINANCE 5794, RELATIVE TO THE O'HARE/DUPAGE
BUSINESS PARK PLANNED DEVELOPMENT**

(PC 05-41: 1301 North Lombard Road
O'Hare/DuPage Business Park Planned Development)

WHEREAS, on January 5, 2006, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5794, which granted approval of an amendment to a conditional use for a planned development with companion use exceptions and fence variations for the property at 1301 North Lombard Road, commonly referred to as the O'Hare/DuPage Business Park planned development; and

WHEREAS, pursuant to Section 155.103 (F)(11) of the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois, conditional uses are null and void if construction is not substantially underway within one year from the date of granting thereof, unless further action is taken by the Village Board; and,

WHEREAS, construction has not commenced and no building permit has been issued for the development granted by Ordinance 5794; and,

WHEREAS, the Village has received a letter requesting a time extension of said Ordinances; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village of Lombard to grant said extension.

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: Ordinances 5794 are hereby amended and extended and shall be null and void unless a building permit is obtained and the project is substantially underway within twelve (12) months of the date of original adoption of this Ordinance (i.e., January 4, 2008).

SECTION 2: That all other provisions associated with Ordinance 5794, not amended by this Ordinance, shall remain in full force and effect.

SECTION 3: 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 _____, 2007.

First reading waived by action of the Board of Trustees this 4th day of January, 2007.


Passed on second reading this 4th day of January, 2007.

Ayes: Trustees Gron, Tross, O'Brien, Sebby, Florey & Soderstrom

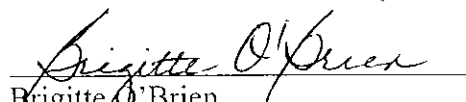
Nays: None

Absent: None

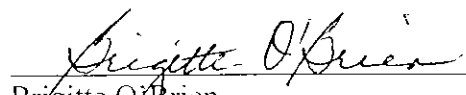
Approved this 4th, day of January, 2007.


William J. Mueller
Village President

ATTEST:


Brigitte O'Brien
Village Clerk

Published by me in pamphlet from this 8th day of January, 2007


Brigitte O'Brien
Village Clerk

Ordinance No. 5794

Re: PC 05-41

Page 3

Illinois; and

That part of Lombard Road lying south of the north line of the Commonwealth Edison Right-of-Way and north of the south line of the Commonwealth Edison Right-of-Way, in the Northeast ¼ of Section 31, Township 40 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois.

Parcel Numbers: 03-31-204-002 and 004

Hereinafter the "Subject Property"

SECTION 2: That Exhibit A to Ordinance 5695 shall be amended to allow for temporary retail sales activity associated with warehouse/distribution activities on the Subject Property, subject to compliance with the conditions set forth in Section 5 below.

SECTION 3: That a variation to Section 155.205 (A)(3)(c)(1) of the Zoning Ordinance to allow for a twelve-foot (12') solid fence where a maximum ten-foot (10') high fence is permitted is hereby granted on the subject Property, subject to compliance with the conditions set forth in Section 5 below.

SECTION 4: That Site Plan Approval for the Subject Property is hereby granted, subject to the conditions in Section 5.

SECTION 5: The amendment to Ordinance 5695 to include the fence variation, use exception and the site plan approval are hereby granted relative to the Subject Property, subject to the conditions set forth below:

1. The petitioner shall develop the site in conformance with the submitted site plan, prepared by Jacob & Hefner Associates, P.C., dated November 2, 2005, the building elevations, prepared by Harris Architects, Inc., submitted November 9, 2005 and the landscape plan, prepared by Walsh Landscape Construction, dated November 9, 2005 and made a part of this petition, except as varied by the final engineering approval for the property.
2. The petitioner shall satisfactorily address all comments raised within the inter-departmental review report as part of their building permit application.
3. The petitioner shall apply for and receive a building permit for any development activity on the subject property.

All

588200088

FRED BUCHOLZ
DUPAGE COUNTY RECORDER
JAN. 12, 2006
DEED
002 PAGES
RHSP 10:54 AM
03-31-204-004
R2006-007759

WARRANTY DEED

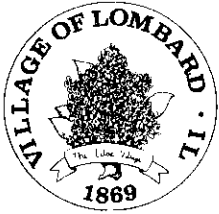
The Grantor, Plainfield Retail Land LLC, an Illinois limited liability company for the sum of \$10.00 and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, hereby CONVEYS and WARRANTS to the Grantees, **Plainfield Retail Land LLC**, an Illinois limited liability company, 9440 Enterprise Drive, Mokena, Illinois and **Smithe-Lombard, LLC**, an Illinois limited liability company, 1251 W. Thorndale Avenue, Itasca, Illinois, as TENANTS IN COMMON with equal undivided interest in the real estate situated in DuPage County, Illinois legally described as follows:

Lot 1 in Lombard Business Center Unit Two, being a subdivision of that part of the East 1/2 of the West 1/2 of the Northeast 1/4 of Section 31, Township 40 North, Range 11 East of the Third Principal Meridian, lying South of the Southerly Right-of-Way of the Illinois Central Railroad (except the South 210 feet thereof), according to the Plat thereof recorded November 6, 1974 as Document R74-56524, in DuPage County, Illinois

Property Address: 1301 N. Lombard Street, Lombard, IL
PIN: 03-31-204-004

This conveyance is subject to: (a) general taxes not yet delinquent; (b) mortgage dated September 9, 2005 and recorded October 28, 2005 as Document No. R2005-241462 to Associated Bank, NA; (c) Assignment of Rents recorded October 28, 2005 as Document No. R2005-241463 to Associated Bank, NA; (d) rights of way for drainage tile, ditches, feeders, laterals and underground pipes, if any; (e) terms, provisions and conditions contained in Ordinance No. 2048, recorded June 3, 1977 as Document R77-42200 and extended by Document No. R81-64822; and (f) Declaration of Protective Covenants for Lombard Industrial Park dated December 29, 1972 and recorded January 2, 1973 as Document R73-000002 and amended by Document R76-442240, as subsequently amended.

lmm
CHARGE C.T.I.C. DUPAGE

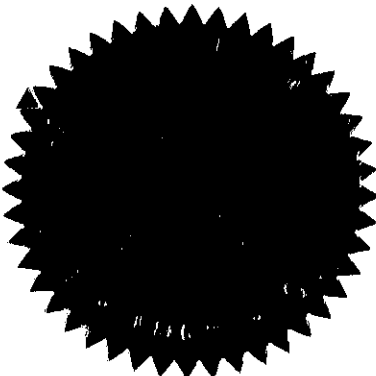


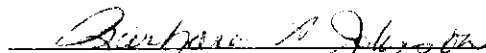
I, Barbara A. Johnson, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

I further certify that attached hereto is a
copy of ORDINANCE 5964
GRANTING A TIME EXTENSION TO ORDINANCE
5794, RELATIVE TO THE O'HARE/DUPAGE BUSINESS
PARK PLANNED DEVELOPMENT
PIN: 03-31-204-002 AND 004
1301 N. LOMBARD ROAD

of the said Village as it appears from the official records
of said Village duly approved January 4, 2007.

In Witness Whereof, I have hereunto affixed my official signature and
the Corporate Seal of said **Village of Lombard**, Du Page County,
Illinois this 6th day of February, 2007




Barbara A. Johnson
Deputy Village Clerk
Village of Lombard
DuPage County, Illinois