



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development *WJH*

DATE: May 19, 2016

SUBJECT: PC 16-07; Yorktown Commons Planned Development Amendment – Draft Ordinance Modification

In the May 19 Village Board Agenda Packet are two ordinances of approval for amendments to the Yorktown Planned Development and the Yorktown Commons Planned Developments. Upon further review of the draft ordinance by the petitioner's attorney and consideration by Village Counsel, a slight modification to Section 1 (1) was sought to each ordinance to further clarify the requested zoning changes being effective for the tracts of land described in the amended planned development boundaries.

Attached are revised ordinances of approval that incorporates the additional language to Section 1(1) to each ordinance, as requested.

ORDINANCE NO. _____

**GRANTING AN AMENDMENT TO ORDINANCE 7177
GRANTING A CONDITIONAL USE FOR THE YORKTOWN
COMMONS PLANNED DEVELOPMENT**

(PC 16-07: Yorktown Commons Planned Development)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the Subject Property, as described in Section 2 below, is zoned B3PD – Community Shopping District Planned Development; and,

WHEREAS, on January 21, 2016, the Corporate Authorities approved Ordinance Number, 7177, granting a conditional use for a planned development for the Yorktown Commons planned development along with companion deviations and variations through an established form-based code; and,

WHEREAS, Title 15, Chapter 155, Section 155.504 allows for amendment of an ordinance granting a conditional use for a Planned Development amendment after a public hearing before the Village's Plan Commission; and,

WHEREAS, the petitioner is requesting a further planned development amendments to amend the geographic boundaries of the previously approved planned development (as depicted upon a new Final Plat of Subdivision), and further variances from Sections 155.415(F) and 155.508(C)(6)(a) and (b) of the Lombard Zoning Ordinance to approve a deviation and variation to reduce the required interior side yard setback from ten (10) feet to zero feet for land adjacent to the Yorktown Commons PD (between proposed Lots 3 and 4); and to approve said deviation and variation within the Yorktown PD and Yorktown Commons PD to permit the existing buildings and infrastructure commonly known as the "Convenience Center" to remain in place pending redevelopment; and

WHEREAS, pursuant to an application to amend Ordinance Number 7177, proper and legal notice was provided and a public hearing was held before the Village's Plan Commission on April 18, 2016; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the amendments described herein; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard approve and adopt the findings and recommendation of the Plan Commission and incorporate such findings and recommendation 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, DUPAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That the following amendments to the conditional use approval for the Yorktown Commons Planned Development, as established by Ordinance Number 7175, as set forth below are hereby granted for the Subject Property legally described in Section 2, consisting of the following:

1. A change to the geographical extent of the previously approved planned development so as to cause same to be consistent with the Subject Property, as described in Section 2 below;
2. Variances from Sections 155.415(F) and 155.508(C)(6)(a) and (b) of the Lombard Zoning Ordinance to approve a deviation and variation to reduce the required interior side yard setback from ten (10) feet to zero feet for land adjacent to the Yorktown Commons PD (between proposed Lots 3 and 4); and to approve said deviation and variation within the Yorktown PD and Yorktown Commons PD to permit the existing buildings and infrastructure commonly known as the "Convenience Center" to remain in place pending redevelopment; and
3. Approval of a new companion Major Plat of Subdivision.

SECTION 2: That this Ordinance is limited and restricted to the property generally located at the intersection of Grace Street and Yorktown Shopping Center ring road, Lombard, Illinois and legally described as follows:

THOSE PARTS OF LOTS 3 AND 4 (EXCEPT THAT PART OF SAID LOT 4 DEDICATED FOR GRACE STREET PER DOCUMENT R72-57164 RECORDED

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SEPTEMBER 20, 1972) ALL IN THE RESUBDIVISION OF LOT 1 IN YORKTOWN, BEING A RESUBDIVISION IN SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION OF LOT 1 RECORDED AUGUST 4, 1971 AS DOCUMENT R71-37751, IN DUPAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 3; THENCE NORTH 87 DEGREES 39 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 281.24 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 02 DEGREES 16 MINUTES 35 SECONDS EAST 224.71 FEET; THENCE NORTH 87 DEGREES 42 MINUTES 49 SECONDS EAST 43.47 FEET; THENCE SOUTH 37 DEGREES 15 MINUTES 04 SECONDS EAST 44.24 FEET; THENCE SOUTH 12 DEGREES 55 MINUTES 57 SECONDS EAST 104.26 FEET TO THE SOUTHERLY LINE OF SAID LOT 3; THENCE THE FOLLOWING TWO COURSES ALONG THE SOUTHERLY LINES OF SAID LOTS 3 AND 4; (1) THENCE EASTERLY ALONG THE ARC OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 500.00 FEET, A CHORD BEARING OF NORTH 68 DEGREES 06 MINUTES 14 SECONDS EAST, 37.37 FEET TO A POINT OF TANGENCY; (2) THENCE NORTH 65 DEGREES 57 MINUTES 47 SECONDS EAST 609.94 FEET; THENCE NORTH 02 DEGREES 04 MINUTES 57 SECONDS WEST ALONG A LINE 7 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID LOT 4, A DISTANCE OF 400.00 FEET; THENCE SOUTH 65 DEGREES 57 MINUTES 47 SECONDS WEST ALONG THE NORTH LINES OF SAID LOTS 4 AND 3, A DISTANCE OF 742.45 FEET; THENCE SOUTH 87 DEGREES 39 MINUTES 50 SECONDS WEST ALONG SAID NORTH LINE OF LOT 3, A DISTANCE OF 1.58 FEET TO THE PLACE OF BEGINNING, CONTAINING 264,030 SQUARE FEET, MORE OR LESS.

ALSO TO BE DESCRIBED AS FOLLOWS:

LOT 4 IN YORKTOWN COMMONS PHASE 1, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED _____, 20____ AS DOCUMENT R20_____, ALL IN DUPAGE COUNTY, ILLINOIS.

PART OF 06-29-101-028

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PART OF PARCEL 2 IN HIGHLAND AVENUE ASSESSMENT PLAT OF LOT 2 IN YORKTOWN, BEING A SUBDIVISION OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID HIGHLAND AVENUE ASSESSMENT PLAT RECORDED JANUARY 30, 2012 AS DOCUMENT R2012-12175, IN DUPAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF PARCEL 3 IN SAID HIGHLAND AVENUE ASSESSMENT PLAT OF LOT 2 IN YORKTOWN; THENCE THE FOLLOWING TWO (2) COURSES ALONG THE SOUTHERLY AND WESTERLY EXTENSION OF SAID SOUTHERLY LINE OF SAID PARCEL 3; (1) THENCE NORTH 65 DEGREES 23 MINUTES 09 SECONDS WEST 127.04 FEET; (2) THENCE SOUTH 87 DEGREES 55 MINUTES 45 SECONDS WEST 267.15 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 73 DEGREES 04 MINUTES 33 SECONDS WEST 160.85 FEET; THENCE NORTH 17 DEGREES 38 MINUTES 09 SECONDS WEST 110.19 FEET; THENCE NORTH 65 DEGREES 52 MINUTES 55 SECONDS EAST 156.55 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG AN ARC OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 10.00 FEET, A CHORD BEARING OF SOUTH 65 DEGREES 31 MINUTES 16 SECONDS EAST 16.96 FEET TO A POINT OF TANGENCY; THENCE SOUTH 16 DEGREES 55 MINUTES 27 SECONDS EAST 119.86 FEET; THENCE SOUTH 73 DEGREES 04 MINUTES 33 SECONDS WEST 4.36 FEET TO THE PLACE OF BEGINNING, CONTAINING 20,000 SQUARE FEET.

ALSO TO BE KNOWN AS LOT 1 IN THE FINAL PLAT OF SUBDIVISION OF YORKTOWN COMMONS PHASE 2.

PART OF 06-29-101-044

PART OF PARCEL 3 IN HIGHLAND AVENUE ASSESSMENT PLAT OF LOT 2 IN YORKTOWN, BEING A SUBDIVISION OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID HIGHLAND AVENUE ASSESSMENT PLAT RECORDED JANUARY 30, 2012 AS DOCUMENT R2012-12175, TOGETHER WITH PART OF LOT 2 IN HIGHLAND-YORKTOWN RESUBDIVISION OF LOT 4 IN YORKTOWN, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID PLAT OF HIGHLAND-YORKTOWN RESUBDIVISION RECORDED SEPTEMBER 5, 2006 AS DOCUMENT R2006-170876, AND CERTIFICATES OF CORRECTION RECORDED AS DOCUMENTS R2006-191219, R2006-219358 AND R2008-138794, ALL IN DUPAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

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BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL 3; THENCE THE FOLLOWING SEVEN (7) COURSES ALONG THE SOUTHERLY, WESTERLY AND NORTHERLY LINES OF SAID PARCEL 3; (1) THENCE NORTH 65 DEGREES 23 MINUTES 09 SECONDS WEST 127.04 FEET; (2) THENCE SOUTH 87 DEGREES 55 MINUTES 45 SECONDS WEST 209.84 FEET TO A POINT OF CURVATURE; (3) THENCE NORTHWESTERLY ALONG THE ARC OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 18.00 FEET, A CHORD BEARING OF NORTH 47 DEGREES 22 MINUTES 03 SECONDS WEST 28.09 FEET TO A POINT OF TANGENCY; (4) THENCE NORTH 02 DEGREES 39 MINUTES 50 SECONDS WEST 26.41 FEET; (5) THENCE NORTH 17 DEGREES 21 MINUTES 56 SECONDS WEST 83.14 FEET TO A POINT OF CURVATURE; (6) THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 20.00 FEET, A CHORD BEARING OF NORTH 25 DEGREES 50 MINUTES 49 SECONDS EAST, 30.17 FEET TO A POINT OF TANGENCY; (7) THENCE NORTH 69 DEGREES 03 MINUTES 34 SECONDS EAST 81.51 FEET TO A POINT OF CURVATURE; THENCE EASTERLY ALONG AN ARC OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 310.00 FEET, A CHORD BEARING OF NORTH 88 DEGREES 10 MINUTES 51 SECONDS EAST 206.91 FEET TO A POINT OF TANGENCY; THENCE SOUTH 72 DEGREES 41 MINUTES 52 SECONDS EAST 122.87 FEET TO A POINT OF CURVATURE; THENCE EASTERLY ALONG AN ARC OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 472.00 FEET, A CHORD BEARING OF SOUTH 69 DEGREES 47 MINUTES 51 SECONDS EAST 47.78 FEET TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHEASTERLY ALONG AN ARC OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 13.50 FEET, A CHORD BEARING OF SOUTH 19 DEGREES 27 MINUTES 58 SECONDS EAST 22.35 FEET TO A POINT OF TANGENCY; THENCE SOUTH 27 DEGREES 57 MINUTES 54 SECONDS WEST 171.44 FEET TO A POINT OF NON-CURVATURE; THENCE SOUTHWESTERLY ALONG AN ARC OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 11.37 FEET, A CHORD BEARING OF SOUTH 50 DEGREES 21 MINUTES 57 SECONDS WEST 10.02 FEET TO A POINT OF NON-TANGENCY; THENCE NORTH 65 DEGREES 23 MINUTES 09 SECONDS WEST 2.29 FEET TO THE PLACE OF BEGINNING, CONTAINING 76,095 SQUARE FEET, MORE OR LESS.

ALSO TO BE DESCRIBED AS FOLLOWS:

LOT 2 IN YORKTOWN COMMONS PHASE 1, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED

_____, 20___ AS DOCUMENT R20__ - _____, ALL IN DUPAGE COUNTY, ILLINOIS.

PARTS OF 06-29-200-060 AND 06-29-101-041

LOT 4 IN YORKTOWN PERIPHERAL/TARGET SUBDIVISION, BEING PART OF THE NORTHEAST 1/4 OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 17, 1995 AS DOCUMENT R95-162762, IN DUPAGE COUNTY, ILLINOIS.

06-29-200-050

SECTION 3: With the submittal of a new entitled Final Plat of Resubdivision of Yorktown Commons Phase 1, a recommended condition of approval by the Lombard Plan Commission has been met.

SECTION 4: All other conditions of approval set forth by Ordinance 7177 and not affected by this approval shall remain in full force and effect.

SECTION 5: 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 _____, 2016.

First reading waived by action of the Board of Trustees this _____ day of _____, 2016.

Passed on second reading this _____ day of _____, 2016, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

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Absent: _____

Approved by me this _____ day of _____, 2016.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this _____ day of _____, 2016.

Sharon Kuderna, Village Clerk

ORDINANCE NO. _____

**GRANTING A FURTHER AMENDMENTS TO ORDINANCE NUMBER
1172 GRANTING A CONDITIONAL USE FOR A PLANNED
DEVELOPMENT, AND AS SUBSEQUENTLY AMENDED BY
ORDINANCE NUMBERS 3964, 6053, 6180, 6230, 7067 AND 7175**

(PC 16-07: Yorktown Shopping Center Planned Development)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the Subject Property, as described in Section 2 below, is zoned B3PD – Community Shopping District Planned Development; and,

WHEREAS, on May 9, 1966, the Corporate Authorities approved Ordinance Number 1172, granting approval of a conditional use for a planned development; and,

WHEREAS, on January 19, 1995, the Corporate Authorities approved Ordinance Number 3964, granting an amendment to the conditional use for a planned development to remove property from said planned development and associated with the creation of the Yorktown Peripheral Planned Development; and,

WHEREAS, on June 21, 2007, the Corporate Authorities approved Ordinance Number 6053, granting a variation from Section 153.226 (F) of the Lombard Sign Ordinance to allow for an off-premise sign to be located on a property with an existing structure, building, and use associated with a Westin sign at 98 Yorktown Shopping Center; and,

WHEREAS, on May 15, 2008, the Corporate Authorities approved Ordinance Number 6180, granting variations from Section 155.226 (A),(B), and (F) of the Lombard Sign Ordinance for off-premises signage as well as a deviation from Section 153.509 (B)(19) of the Lombard Sign Ordinance to allow a total of three (3) wall signs where no wall signs are permitted associated with the Cole Taylor / MB Financial Bank building at 3 Yorktown Shopping Center; and,

WHEREAS, supplementing Ordinance Number 6180, on September 4, 2008, the Corporate Authorities approved Ordinance Number, 6230, granting approval to waive the transitional landscape yard requirements of Section 155.707 (B) and the

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perimeter lot landscaping requirements of Section 155.709 of the Lombard Zoning Ordinance associated with the Cole Taylor / MB Financial Bank building at 3 Yorktown Shopping Center; and,

WHEREAS, on May 7, 2015, the Corporate Authorities approved Ordinance Number, 7067, granting a major amendment to the conditional use for a planned development to allow for an amended roadway configuration associated with the Fairfield Avenue entrance; and,

WHEREAS, on January 21, 2016, the Corporate Authorities approved Ordinance Number, 7175, granting a major amendment to the conditional use for a planned development to allow for an a change in the geographical extent of the planned development and to decrease the minimum number of parking stalls required within the planned development; and,

WHEREAS, Title 15, Chapter 155, Section 155.504 allows for amendment of an ordinance granting a conditional use for a Planned Development amendment after a public hearing before the Village's Plan Commission; and,

WHEREAS, the petitioner is requesting a further planned development amendments to amend the geographic boundaries of the previously approved planned development (as depicted upon a new Final Plat of Subdivision), and further variances from Sections 155.415(F) and 155.508(C)(6)(a) and (b) of the Lombard Zoning Ordinance to approve a deviation and variation to reduce the required interior side yard setback from ten (10) feet to zero feet for land adjacent to the Yorktown Commons PD (between proposed Lots 3 and 4); and to approve said deviation and variation within the Yorktown PD and Yorktown Commons PD to permit the existing buildings and infrastructure commonly known as the "Convenience Center" to remain in place pending redevelopment; and

WHEREAS, pursuant to an application to amend Ordinance Numbers 1172, 3964, 6053, 6180, 6230, 7067 and 7175, proper and legal notice was provided and a public hearing was held before the Village's Plan Commission on April 18, 2016; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the amendments described herein; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard approve and adopt the findings and recommendation of the Plan Commission and

incorporate such findings and recommendation 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, DUPAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That the following amendments to the conditional use approval for the Yorktown Shopping Center Planned Development, as established by Ordinance Number 1172 and as subsequently amended by Ordinance Numbers 3964, 6053, 6180, 6230, 7067 and 7175, as set forth below are hereby granted for the Subject Property legally described in Section 2, consisting of the following:

1. A change to the geographical boundaries of the previously approved planned development, so as to cause same to be consistent with the Subject Property, as described in Section 2 below, with any previously granted zoning approvals also being applicable to said revised geographical boundaries, as described in Section 2 below.
2. Variances from Sections 155.415(F) and 155.508(C)(6)(a) and (b) of the Lombard Zoning Ordinance to approve a deviation and variation to reduce the required interior side yard setback from ten (10) feet to zero feet for land adjacent to the Yorktown Commons PD (between proposed Lots 3 and 4); and to approve said deviation and variation within the Yorktown PD and Yorktown Commons PD to permit the existing buildings and infrastructure commonly known as the "Convenience Center" to remain in place pending redevelopment
3. Approval of a new companion Major Plat of Subdivision.

SECTION 2: That this Ordinance is limited and restricted to the property located at 1-378 Yorktown Center, Lombard, Illinois and legally described as follows:

LOTS 1 AND 2 IN THE RESUBDIVISION OF LOT 1 IN PEHRSON SECOND RESUBDIVISION OF LOTS 2 AND 3 IN THE RESUBDIVISION OF LOT 5 OF YORKTOWN, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION OF LOT 1 PEHRSON SECOND

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RESUBDIVISION RECORDED NOVEMBER 23, 2015 AS DOCUMENT R2015-128216, IN DUPAGE COUNTY, ILLINOIS.

06-29-200-061; 06-29-200-062

LOT 1 IN THE RESUBDIVISION OF LOT 5 OF YORKTOWN, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE SAID RESUBDIVISION OF LOT 5 OF YORKTOWN RECORDED AUGUST 4, 1971 AS DOCUMENT R71-37779, IN DUPAGE COUNTY, ILLINOIS.

06-29-200-017

LOT 6 IN YORKTOWN, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 27, 1968 AS DOCUMENT R68-44972, IN DUPAGE COUNTY, ILLINOIS TOGETHER WITH THAT PART OF LOT 2 IN HIGHLAND-YORKTOWN RESUBDIVISION OF LOT 4 IN YORKTOWN, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID PLAT OF HIGHLAND-YORKTOWN RESUBDIVISION RECORDED SEPTEMBER 5, 2006 AS DOCUMENT R2006-170876, AND CERTIFICATES OF CORRECTION RECORDED AS DOCUMENTS R2006-191219, R2006-219358 AND R2008-138794, DESCRIBED AS COMMENCING AT A SOUTHWEST CORNER OF SAID LOT 2, BEING A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF OLD BUTTERFIELD ROAD; THENCE NORTH 2 DEGREES 58 MINUTES 03 SECONDS WEST, ALONG A WESTERLY LINE OF SAID LOT 2, A DISTANCE OF 78.22 FEET TO AN ANGLE CORNER IN SAID LOT 2; THENCE NORTH 60 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE SOUTHWESTERLY LINE OF LOT 2 AFORESAID, 757.443 FEET TO AN ANGLE CORNER IN SAID LOT 2; THENCE SOUTH 30 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG A SOUTHEASTERLY LINE OF LOT 2 AFORESAID, 130.252 FEET TO AN ANGLE CORNER IN SAID LOT 2, SAID POINT BEING ALSO ON THE SOUTHWESTERLY LINE OF SAID LOT 2; THENCE NORTH 60 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG SAID SOUTHWESTERLY LINE, 282.665 FEET TO ANOTHER ANGLE CORNER IN SAID LOT 2, SAID POINT BEING ALSO THE POINT OF BEGINNING OF THE PARCEL

OF AIR SPACE HEREIN DESCRIBED; THENCE NORTH 30 DEGREES 00 MINUTES 00 SECONDS EAST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 17.69 FEET; THENCE SOUTH 60 DEGREES 00 MINUTES 00 SECONDS EAST, 160.98 FEET; THENCE SOUTH 30 DEGREES 00 MINUTES 00 SECONDS WEST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 17.69 FEET TO THE POINT OF INTERSECTION WITH THE SOUTHWESTERLY LINE OF LOT 2 AFORESAID; THENCE NORTH 60 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG SAID SOUTHWESTERLY LINE, 160.98 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING, SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +758.58 FEET (NATIONAL GEODETIC SURVEY DATUM) AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +775.58 FEET (NATIONAL GEODETIC SURVEY DATUM), IN DUPAGE COUNTY, ILLINOIS.

06-29-400-002; 06-29-301-008

LOT 1 IN HIGHLAND-YORKTOWN RESUBDIVISION OF LOT 1 IN TBA RESUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID PLAT OF HIGHLAND-YORKTOWN RESUBDIVISION RECORDED OCTOBER 13, 2006 AS DOCUMENT R2006-198283, IN DUPAGE COUNTY, ILLINOIS.

06-29-301-014

LOT 2 IN HIGHLAND-YORKTOWN RESUBDIVISION OF LOT 1 IN TBA RESUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID PLAT OF HIGHLAND-YORKTOWN RESUBDIVISION RECORDED OCTOBER 13, 2006 AS DOCUMENT R2006-198283, IN DUPAGE COUNTY, ILLINOIS.

06-29-301-015

LOT 8 IN YORKTOWN, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 27, 1968 AS DOCUMENT R68-44972, IN DUPAGE COUNTY, ILLINOIS.

06-29-301-007

LOT 2 IN TBA RESUBDIVISION PLAT, BEING A RESUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 13, 2003 AS DOCUMENT R2003-433529 (EXCEPTING THEREFROM THAT PART THEREOF CONVEYED TO THE VILLAGE OF LOMBARD BY WARRANTY DEED RECORDED JANUARY 16, 2004 AS DOCUMENT R2004-15543), IN DUPAGE COUNTY, ILLINOIS.

06-29-301-011

LOT 1 YORKTOWN-HIGHLAND RESUBDIVISION OF LOT 4 IN YORKTOWN, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID PLAT OF YORKTOWN-HIGHLAND RESUBDIVISION RECORDED SEPTEMBER 5, 2006 AS DOCUMENT R2006-170876, AS CORRECTED BY CERTIFICATES RECORDED AS DOCUMENTS R2006-191219 AND R2006-219358, IN DUPAGE COUNTY, ILLINOIS.

06-29-301-013

LOT 1 IN HIGHLAND AVENUE RESUBDIVISION OF PART OF LOT 3 IN YORKTOWN, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID PLAT OF RESUBDIVISION RECORDED OCTOBER 4, 2007 AS DOCUMENT R2007-182509, IN DUPAGE COUNTY, ILLINOIS.

06-29-101-042

LOT 2 IN HIGHLAND-YORKTOWN RESUBDIVISION OF LOT 4 IN YORKTOWN, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID PLAT OF HIGHLAND-YORKTOWN RESUBDIVISION RECORDED SEPTEMBER 5, 2006 AS DOCUMENT R2006-170876, AND CERTIFICATES OF CORRECTION RECORDED AS DOCUMENTS R2006-191219, R2006-219358 AND R2008-138794, ALL IN DUPAGE COUNTY, ILLINOIS.

TOGETHER WITH ("RR PROPERTY"):

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THAT PART OF PARCEL 3 IN HIGHLAND AVENUE ASSESSMENT PLAT OF LOT 2 IN YORKTOWN, BEING A SUBDIVISION OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID HIGHLAND AVENUE ASSESSMENT PLAT RECORDED JANUARY 30, 2012 AS DOCUMENT R2012-12175, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL 3; THENCE NORTH 05 DEGREES 03 MINUTES 00 SECONDS WEST ALONG THE EAST LINE OF SAID PARCEL 3, A DISTANCE OF 210.48 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 05 DEGREES 03 MINUTES 00 SECONDS WEST ALONG SAID EAST LINE 19.69 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 3; THENCE THE FOLLOWING THREE COURSES ALONG THE NORTHERLY LINE OF SAID PARCEL 3; (1) THENCE NORTH 78 DEGREES 02 MINUTES 13 SECONDS WEST, 92.23 FEET TO A POINT OF A NON-TANGENTIAL CURVE; (2) THENCE WESTERLY ALONG THE ARC OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 246.67 FEET, A CHORD BEARING OF SOUTH 84 DEGREES 51 MINUTES 35 SECONDS WEST, 136.05 FEET TO A POINT OF TANGENCY; (3) THENCE SOUTH 69 DEGREES 03 MINUTES 34 SECONDS WEST, 40.19 FEET TO A POINT ON A CURVE; THENCE EASTERLY ALONG AN ARC OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 310.00 FEET, A CHORD BEARING OF NORTH 88 DEGREES 10 MINUTES 51 SECONDS EAST 206.91 FEET TO A POINT OF TANGENCY; THENCE SOUTH 72 DEGREES 41 MINUTES 52 SECONDS EAST, 63.14 FEET TO THE PLACE OF BEGINNING, CONTAINING 2,543 SQUARE FEET, MORE OR LESS, IN DUPAGE COUNTY, ILLINOIS.

EXCEPTING THEREFROM THE AFOREMENTIONED PROPERTIES THE FOLLOWING (".25 ACRE PROPERTY"):

PART OF LOT 2 IN HIGHLAND-YORKTOWN RESUBDIVISION OF LOT 4 IN YORKTOWN, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID PLAT OF HIGHLAND-YORKTOWN RESUBDIVISION RECORDED SEPTEMBER 5, 2006 AS DOCUMENT R2006-170876, AND CERTIFICATES OF CORRECTION RECORDED AS DOCUMENTS R2006-191219, R2006-219358 AND R2008-138794, ALL IN DUPAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF PARCEL 3 IN HIGHLAND AVENUE ASSESSMENT PLAT OF LOT 2 IN YORKTOWN, BEING A SUBDIVISION OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD

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PRINCIPAL MERIDIAN, ACCORDING TO SAID HIGHLAND AVENUE ASSESSMENT PLAT RECORDED JANUARY 30, 2012 AS DOCUMENT R2012-12175; THENCE NORTH 05 DEGREES 03 MINUTES 00 SECONDS WEST ALONG THE EAST LINE OF SAID PARCEL 3, A DISTANCE OF 210.48 FEET; THENCE SOUTH 72 DEGREES 41 MINUTES 52 SECONDS EAST 59.73 FEET TO A POINT OF CURVATURE; THENCE EASTERLY ALONG AN ARC OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 472.00 FEET, A CHORD BEARING OF SOUTH 69 DEGREES 47 MINUTES 51 SECONDS EAST 47.78 FEET TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHEASTERLY ALONG AN ARC OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 13.50 FEET, A CHORD BEARING OF SOUTH 19 DEGREES 27 MINUTES 58 SECONDS EAST 22.35 FEET TO A POINT OF TANGENCY; THENCE SOUTH 27 DEGREES 57 MINUTES 54 SECONDS WEST 171.44 FEET TO A POINT OF NON-CURVATURE; THENCE SOUTHWESTERLY ALONG AN ARC OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 11.37 FEET, A CHORD BEARING OF SOUTH 50 DEGREES 21 MINUTES 57 SECONDS WEST 10.02 FEET TO A POINT OF NON-TANGENCY; THENCE NORTH 65 DEGREES 23 MINUTES 09 SECONDS WEST 2.29 FEET TO THE PLACE OF BEGINNING, CONTAINING 0.285 ACRES, MORE OR LESS.

ALL OF THE ABOVE PROPERTY TAKEN AS A WHOLE BEING ALSO DESCRIBED AS FOLLOWS:

LOT 1 IN YORKTOWN COMMONS PHASE 1, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED _____, 20____ AS DOCUMENT R20____-, ALL IN DUPAGE COUNTY, ILLINOIS.

PART OF 06-29-101-041

PART OF 06-29-200-060

LOT 1 IN CARSON'S ASSESSMENT PLAT OF YORKTOWN SHOPPING CENTER, BEING A SUBDIVISION OF LOT 3 IN YORKTOWN, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID CARSON'S ASSESSMENT PLAT RECORDED AUGUST 8, 2000 AS DOCUMENT R2000-120890, IN DUPAGE COUNTY, ILLINOIS.

06-29-101-038

LOT 2 IN CARSON'S ASSESSMENT PLAT OF YORKTOWN SHOPPING CENTER, BEING AN ASSESSMENT PLAT OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID PLAT RECORDED AUGUST 8, 2000 AS DOCUMENT R2000-120890 (EXCEPTING FROM SAID LOT 2 THAT PART CONVEYED TO THE VILLAGE OF LOMBARD BY DOCUMENT R2004-15563 AND DESCRIBED AS BEGINNING AT A POINT ON THE EAST RIGHT-OF-WAY LINE OF HIGHLAND AVENUE AS DEDICATED BY DOCUMENT 342659 RECORDED JANUARY 25, 1934 AND THE SOUTH LINE OF SAID LOT 2; THENCE EASTERLY ALONG A LINE HAVING AN ILLINOIS EAST ZONE GRID BEARING OF SOUTH 63 DEGREES 33 MINUTES 35 SECONDS EAST 25.12 FEET; THENCE SOUTH 02 DEGREES 24 MINUTES 28 SECONDS EAST 13.82 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 2, SAID POINT BEING ON A 90.00 FOOT RADIUS CURVE, THE CENTER CIRCLE OF SAID CURVE BEARS NORTH 54 DEGREES 25 MINUTES 26 SECONDS EAST FROM SAID POINT; THENCE NORTHWESTERLY ALONG SAID CURVE 19.85 FEET, CENTRAL ANGLE 12 DEGREES 38 MINUTES 18 SECONDS, THE CHORD BEARS NORTH 51 DEGREES 37 MINUTES 06 SECONDS WEST 19.81 FEET, SAID CURVE BEING ALSO THE SOUTH LINE OF SAID LOT 2; THENCE NORTH 30 DEGREES 42 MINUTES 30 SECONDS WEST 14.76 FEET ALONG A LINE NOT TANGENT TO SAID CURVE TO THE POINT OF BEGINNING), IN DUPAGE COUNTY, ILLINOIS.

06-29-101-037

THAT PART OF LOT 2 IN YORKTOWN, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 27, 1968 AS DOCUMENT R68-44972 AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 00 DEGREES 20 MINUTES 30 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 2 A DISTANCE OF 92.26 FEET; THENCE NORTH 44 DEGREES 29 MINUTES 23 SECONDS EAST ALONG THE EAST RIGHT-OF-WAY LINE OF HIGHLAND AVENUE 18.44 FEET; THENCE NORTH 00 DEGREES 20 MINUTES 30 SECONDS WEST ALONG SAID WEST RIGHT-OF-WAY LINE 15.75 FEET TO THE SOUTH LINE OF AN EASEMENT OF INGRESS AND EGRESS PER DOCUMENT NO. R68-45002; THENCE NORTHEASTERLY ALONG SAID EASEMENT 62.14 FEET ALONG THE ARC OF A CURVE CONCAVE

SOUTHEASTERLY, SAID CURVE HAVING A RADIUS OF 80.00 FEET AND A CHORD BEARING NORTH 67 DEGREES 02 MINUTES 34 SECONDS EAST 60.59 FEET TO A POINT OF TANGENCY; THENCE NORTH 89 DEGREES 44 MINUTES 47 SECONDS EAST ALONG SAID EASEMENT LINE 110.92 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY 39.43 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHWESTERLY, SAID CURVE HAVING A RADIUS OF 25.00 FEET; THENCE SOUTH 00 DEGREES 20 MINUTES 30 SECONDS EAST ALONG THE WEST LINE OF SAID EASEMENT 118.79 FEET TO THE SOUTH LINE OF SAID LOT 2; THENCE SOUTH 89 DEGREES 17 MINUTES 40 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 2 A DISTANCE OF 205.01 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

06-29-101-043

PARCEL 2 IN HIGHLAND AVENUE ASSESSMENT PLAT OF LOT 2 IN YORKTOWN, BEING A SUBDIVISION OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID HIGHLAND AVENUE ASSESSMENT PLAT RECORDED JANUARY 30, 2012 AS DOCUMENT R2012-12175, IN DUPAGE COUNTY, ILLINOIS.

EXCEPT FOR THAT PORTION OF THE PROPERTY DESCRIBED AS:

PART OF PARCEL 2 IN HIGHLAND AVENUE ASSESSMENT PLAT OF LOT 2 IN YORKTOWN, BEING A SUBDIVISION OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID HIGHLAND AVENUE ASSESSMENT PLAT RECORDED JANUARY 30, 2012 AS DOCUMENT R2012-12175, IN DUPAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF PARCEL 3 IN SAID HIGHLAND AVENUE ASSESSMENT PLAT OF LOT 2 IN YORKTOWN; THENCE THE FOLLOWING TWO (2) COURSES ALONG THE SOUTHERLY AND WESTERLY EXTENSION OF SAID SOUTHERLY LINE OF SAID PARCEL 3; (1) THENCE NORTH 65 DEGREES 23 MINUTES 09 SECONDS WEST 127.04 FEET; (2) THENCE SOUTH 87 DEGREES 55 MINUTES 45 SECONDS WEST 267.15 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 73 DEGREES 04 MINUTES 33 SECONDS WEST 160.85 FEET; THENCE NORTH 17 DEGREES 38 MINUTES 09 SECONDS WEST 110.19 FEET; THENCE NORTH 65 DEGREES 52 MINUTES 55 SECONDS EAST 156.55 FEET TO A POINT OF CURVATURE; THENCE

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SOUTHEASTERLY ALONG AN ARC OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 10.00 FEET, A CHORD BEARING OF SOUTH 65 DEGREES 31 MINUTES 16 SECONDS EAST 16.96 FEET TO A POINT OF TANGENCY; THENCE SOUTH 16 DEGREES 55 MINUTES 27 SECONDS EAST 119.86 FEET; THENCE SOUTH 73 DEGREES 04 MINUTES 33 SECONDS WEST 4.36 FEET TO THE PLACE OF BEGINNING, CONTAINING 20,000 SQUARE FEET.

ALSO TO BE KNOWN AS LOT 1 IN THE FINAL PLAT OF SUBDIVISION OF YORKTOWN COMMONS PHASE 2.

PART OF 06-29-101-044

LOT 1 OF PEHRSON'S RESUBDIVISION OF LOTS 1 AND 2 IN THE RESUBDIVISION OF LOT 1 IN YORKTOWN, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID PEHRSON'S RESUBDIVISION RECORDED SEPTEMBER 30, 1975 AS DOCUMENT R75-53797, (EXCEPTING THEREFROM THAT PART OF LOT 1 DESCRIBED AS BEGINNING AS A POINT ON THE EAST RIGHT-OF-WAY LINE OF HIGHLAND AVENUE AS DEDICATED BY DOCUMENT NO. 342659 RECORDED JANUARY 25, 1934 AND THE SOUTH LINE OF SAID LOT 1; THENCE NORTHERLY ALONG SAID RIGHT-OF-WAY LINE HAVING AN ILLINOIS EAST ZONE GRID BEARING OF NORTH 02 DEGREES 24 MINUTES 28 SECONDS WEST 67.26 FEET; THENCE SOUTH 47 DEGREES 24 MINUTES 28 SECONDS EAST 28.28 FEET; THENCE SOUTH 02 DEGREES 24 MINUTES 28 SECONDS EAST 47.30 FEET TO A POINT ON SAID SOUTH LINE OF SAID LOT 1; THENCE SOUTH 87 DEGREES 44 MINUTES 58 SECONDS WEST 20.00 FEET TO THE POINT OF BEGINNING) IN DUPAGE COUNTY, ILLINOIS.

06-29-101-035

LOT 2 OF PEHRSON'S RESUBDIVISION OF LOTS 1 AND 2 IN THE RESUBDIVISION OF LOT 1 IN YORKTOWN, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID PEHRSON'S RESUBDIVISION RECORDED SEPTEMBER 30, 1975 AS DOCUMENT R75-52797, IN DUPAGE COUNTY, ILLINOIS.

06-29-101-019

THAT PART OF LOT 3 IN THE RESUBDIVISION OF LOT 1 IN YORKTOWN, BEING A RESUBDIVISION IN SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION OF LOT 1 RECORDED AUGUST 4, 1971 AS DOCUMENT R71-37751, IN DUPAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 3; THENCE NORTH 87 DEGREES 39 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 3 A DISTANCE OF 281.24 FEET; THENCE SOUTH 02 DEGREES 16 MINUTES 35 SECONDS EAST 224.71 FEET; THENCE NORTH 87 DEGREES 42 MINUTES 49 SECONDS EAST 43.47 FEET; THENCE SOUTH 37 DEGREES 15 MINUTES 04 SECONDS EAST 44.24 FEET; THENCE SOUTH 12 DEGREES 55 MINUTES 57 SECONDS EAST 104.26 FEET TO THE SOUTHERLY LINE OF SAID LOT 3; THENCE THE FOLLOWING TWO COURSES ALONG SAID SOUTHERLY LINE OF SAID LOT 3; (1) THENCE WESTERLY ALONG THE ARC OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 500.00 FEET, A CHORD BEARING OF SOUTH 78 DEGREES 57 MINUTES 16 SECONDS WEST, 152.01 FEET TO A POINT OF TANGENCY; (2) THENCE SOUTH 87 DEGREES 39 MINUTES 50 SECONDS WEST 366.70 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE THE FOLLOWING THREE COURSES ALONG THE WESTERLY LINE OF SAID LOT 3; (1) THENCE NORTH 02 DEGREES 20 MINUTES 10 SECONDS WEST, 76.68 FEET TO A POINT OF CURVATURE; (2) THENCE NORTHERLY ALONG THE ARC OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 148.56 FEET, A CHORD BEARING OF NORTH 11 DEGREES 53 MINUTES 13 SECONDS EAST, 73.76 FEET TO A POINT OF TANGENCY; (3) THENCE NORTH 26 DEGREES 06 MINUTES 37 SECONDS EAST, 271.81 FEET TO THE PLACE OF BEGINNING.

ALSO TO BE DESCRIBED AS FOLLOWS:

LOT 3 IN YORKTOWN COMMONS PHASE 1, BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED _____, 20____ AS DOCUMENT R20____, ALL IN DUPAGE COUNTY, ILLINOIS.

PART OF 06-29-101-028

SECTION 3: With the submittal of a new entitled Final Plat of Resubdivision of Yorktown Commons Phase 1, a recommended condition of approval by the Lombard Plan Commission has been met.

SECTION 4: All other conditions of approval set forth by previous Ordinances and Site Plan Approvals not affected by this approval shall remain in full force and effect.

SECTION 5: 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 _____, 2016.

First reading waived by action of the Board of Trustees this _____ day of _____, 2016.

Passed on second reading this _____ day of _____, 2016, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2016.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

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Published in pamphlet from this _____ day of _____, 2016.

Sharon Kuderna, Village Clerk