

Item #3:

Ord. Granting SUP & Preliminary Plat For The Steinbach PUD

VILLAGE OF LONG GROVE

ORDINANCE NO. 2016-O-_____

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A
PLANNED UNIT DEVELOPMENT AND APPROVING A
PRELIMINARY PLANNED UNIT DEVELOPMENT PLAT
FOR THE STEINBACH PLANNED UNIT DEVELOPMENT**

Adopted by the
President and Board of Trustees
of
the Village of Long Grove
this ____ day of September, 2016

Published in pamphlet form by direction
and authority of the Village of Long Grove,
Lake County, Illinois
this ____ day of September, 2016

VILLAGE OF LONG GROVE

ORDINANCE NO. 2016-O-__

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A
PLANNED UNIT DEVELOPMENT AND APPROVING A
PRELIMINARY PLANNED UNIT DEVELOPMENT PLAT
FOR THE STEINBACH PLANNED UNIT DEVELOPMENT**

WHEREAS, Addison Real Estate LLC ("**Applicant**"), is the owner of the real property consisting of approximately 16.77 acres generally located on the southerly side of Midlothian Road across from the entrance to Countryside Lake in the Village of Long Grove and legally described in Exhibit A, hereto ("**Property**"); and

WHEREAS, the Applicant desires to develop the Property with a conservation subdivision consisting of 8 residential lots, approximately 11.63 acres of conservation area and permanent open space in two outlots, a private roadway, stormwater and drainage facilities, and related residential improvements; and

WHEREAS, the Applicant has filed an application requesting approval of a special use permit for a planned unit development and approval of a preliminary planned unit development plat and plans to permit the Proposed Development on the Property; and

WHEREAS, pursuant to notice duly published in the *Daily Herald*, the Long Grove Plan Commission conducted a public hearing on September 6, 2016 for the purposes of hearing and considering testimony regarding the Applicant's request for approval of a special use permit for a planned unit development and approval of a preliminary planned unit development plat for the Proposed Development on the Property; and

WHEREAS, during the public hearing, representatives of the Applicant presented oral and written testimony, including without limitation the preliminary planned unit development plat and plans for the Steinbach Planned Unit Development, consisting of:

- i. Preliminary Site Plan, consisting of one sheet prepared by Pearson, Brown & Associates, Inc. and dated September 23, 2015;

- ii. Boundary and Topographic Survey, consisting of one sheet prepared by Professionals Associated Survey, Inc. and dated December 7, 2012;
- iii. Preliminary Plat of Subdivision, consisting of two sheets prepared by Pearson, Brown & Associates, Inc., with a last revision date of April 27, 2016;
- iv. Preliminary Landscape Plans and Renderings, consisting of nine sheets prepared by Milieu Design and dated March 2, 2016;
- v. Preliminary Engineering Plan, consisting of 1 sheet prepared by Pearson, Brown & Associates, Inc. and dated _____;
- vi. Wetland Delineation Report, prepared by Hey and Associates, Inc. and dated August 31, 2015;
- vii. Soil Map, consisting of one sheet prepared by Pearson, Brown & Associates, Inc. and dated February 17, 2016

copies of which are attached to this Ordinance, and by this reference incorporate herein, as **Exhibit B** (collectively, the “**Preliminary PUD Plat**”); and

WHEREAS, following the public hearing, the Plan Commission made the following findings:

- 1. The Property is currently zoned R-2 PUD. The Property has not been developed pursuant to any previously-approved PUD and currently consists of vacant, undeveloped land.
- 2. According to the testimony and other evidence presented by the Applicant, including without limitation the Preliminary PUD Plat, the Proposed Development consists of 8 buildable lots that will be developed with single family residential dwellings, as well as approximately 11.63 acres of conservation area and permanent open space, a private roadway, stormwater and drainage facilities, and other common improvements.
- 3. The overall density of the Proposed Development (8 buildable lots on approximately 16.77 acres of land) is consistent with the density permitted in under the R-2 zoning regulations, which provide for a two-acre minimum lot size. The Applicant testified that it has requested approval of the Proposed Development to allow smaller residential lot sizes, offset by the preservation of open space and natural resources on the Property.
- 4. The Applicant testified that the Proposed Development shall be constructed in accordance with the Preliminary PUD Plat.
- 5. The evidence presented demonstrates that, subject to the conditions hereinafter set forth, the construction and maintenance of the Proposed Development on the Property:

- (a) is consistent with the stated purpose of the planned unit development regulations;
 - (b) meets the requirements and standards of the planned unit development regulations;
 - (c) departs from certain of the generally-applicable zoning and subdivision standards, including those governing lot size, building setbacks and yards, and scenic corridors; such departures are may be authorized pursuant to Section 5-11-18(G) of the Zoning Code; and such departures are deemed to be in the public interest due to the overall design and quality of the Proposed Development, including the preservation of wetlands, trees, open space, and other significant natural resources;
 - (d) makes adequate provision for public services, provides adequate control over vehicular traffic, provides and protects designated open space, and furthers the amenities of light and air, recreation, and visual enjoyment;
 - (e) is compatible with the adjacent properties and neighborhood;
 - (f) is not detrimental to the tax base and economic well-being of the entire community; and
 - (g) conforms with the intent and spirit of the comprehensive plan of the Village.
4. The evidence presented demonstrates that the Proposed Development satisfies the requirements for granting a special use permit for a planned unit development and approving the Preliminary PUD Plat to permit the Proposed Development on the Property pursuant to Section 5-11-18 of the Zoning Code and subject to the terms and conditions hereinafter set forth.
5. The evidence presented also demonstrates that the Proposed Development satisfies the requirements for

WHEREAS, based on these findings, on September 6, 2016, the Plan Commission recommended that a special use permit be granted for a planned unit development and the Preliminary PUD Plat be approved pursuant to Section 5-11-18 of the Zoning Code, along with the necessary deviations from otherwise applicable lot size, building setback and yard regulations, and scenic corridor regulations to permit the Proposed Development on the Property; and

WHEREAS, the President and Board of Trustees, having considered the recommendations of the Plan Commission and being fully advised in the premises, have

determined that it is in the best interests of the Village and its residents to grant a special use permit for a planned unit development and approve the Preliminary PUD Plat to permit the Proposed Development on the Property, subject to the terms and conditions of this Ordinance as hereinafter set forth; and

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LONG GROVE, COUNTY OF LAKE, STATE OF ILLINOIS,
as follows:

SECTION ONE: Recitals. The foregoing recitals are hereby incorporated into and made a part of this Ordinance as if fully set forth.

SECTION TWO: Grant of a Special Use Permit for a Planned Unit Development and Approval of the Preliminary PUD Plat. Pursuant to Section 5-11-18 of the Long Grove Zoning Code, and subject to the limitations therein and the conditions set forth in Section Three of this Ordinance, a special use permit for a planned unit development ("***Special Use Permit***") shall be, and is hereby, granted, and the Preliminary PUD Plat shall be, and is hereby, approved to permit the Proposed Development on the Property. In connection with the approval of the Special Use Permit and the Preliminary PUD Plat, the Village Board hereby grants the Applicant relief from the otherwise applicable Zoning Code requirements for lot size, width of yards and building setbacks, and width of scenic corridor easements pursuant to Section 5-11-18(G)(3) of the Zoning Code, all as necessary to permit the Proposed Development on the Property as depicted on the Preliminary PUD Plat.

SECTION THREE: Conditions on Approval. The approvals granted pursuant to Section Two of this Ordinance shall be, and they are hereby, conditioned upon and limited by the following conditions, the violation of any of which shall, in the reasonable discretion of the President and Board of Trustees, be grounds for the repeal and revocation of the approvals granted herein:

- A. No Authorization of Work. This Ordinance does not authorize commencement of any work on the Property. Except as otherwise specifically provided in writing in advance by the Village, no work of any kind shall be commenced on the Property pursuant to the approvals granted in this Ordinance unless and until all conditions of this Ordinance precedent to such work have been fulfilled, including without limitation approval and recordation of a final plat of subdivision and final planned unit development plat and Village approval of final plans (including, but not limited to, engineering and landscaping plans) for the Proposed Development, and after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law.
- B. Compliance with Laws. The Zoning Code, the Subdivision Code, the Building Code, and all other applicable ordinances and regulations of the Village shall continue to apply to the Property except as expressly modified by this Ordinance, and the development and use of the Property shall be in compliance with all laws and regulations of all other federal, state, and local governments and agencies having jurisdiction.
- C. Final Planned Unit Development Plat. Within two years after the effective date of this Ordinance, the Applicant shall submit for review and approval a final planned unit development plat ("**Final PUD Plat**"), which plat shall be in substantial conformity with the Preliminary PUD Plat and otherwise comply with all applicable laws, including without limitation all applicable provisions of the Zoning Code. This Ordinance shall be null and void unless the Applicant has filed a complete Final PUD Plat for Village review and approval within such two year period. The Final PUD Plat shall depict, without limitation, all wetlands, open space areas, conservancy and scenic corridors and easements and other conservation areas, stormwater drainage and detention facilities and easements, pathways, private roadways and traffic improvements, and sanitary sewer and water improvements and shall contain language approved by the Village Attorney restricting development within all such areas. In addition, the Final PUD Plat shall contain language approved by the Village Attorney granting the Village (or another public body designated by the Village) and/or a homeowners association for the entire Property such easement rights, conservation rights, or other property rights (but not fee simple title) as may be requested by the Village for preservation and maintenance of wetland, conservancy, stormwater, drainage, scenic corridor, and pathway areas on the Property.
- D. Final Engineering. The Applicant shall submit to the Village for its review and approval final engineering plans for the Proposed Development, which plans shall be subject to the Village Engineer's review and Village Board approval as part of the Final PUD Plat.
- E. Final Landscaping. The Applicant shall submit to the Village for its review and approval final landscaping plans for the Property, which plans shall be subject to the Village Forester's review and Village Board approval as part of the Final PUD Plat.
- F. Building Setbacks. The Final PUD Plat shall identify the front, rear, and side yard minimum setbacks to be maintained on each of the eight buildable residential lots

in the Proposed Development. Such setbacks shall be substantially consistent with the Preliminary PUD Plat and the representations made by the Applicant in its application materials and to the Plan Commission and shall be subject to approval of the Village Board as part of the Final PUD Plat.

- G. Sanitary Sewer and Water Systems. Water and sanitary sewer service shall be provided to the Proposed Development by a potable water system and a sanitary sewer system that are connected to the Lake County water and sanitary sewer systems, respectively, pursuant to an agreement between Applicant and Lake County in a form acceptable to the Village, or by such other system as is acceptable to the Village Engineer and approved as part of the Final PUD Plat. The water and sanitary sewer systems and all related facilities shall be built at the Applicant's sole cost and expense and in accordance with the Final Engineering Plans and Final PUD Plat.
- H. Impact Fees. The Applicant shall comply with the applicable impact fee requirements contained in Section 5-11-18(K) of the Zoning Code, Chapter 9 of Title 6 of the Long Grove Village Code. The final amounts of the impact fees due for the Proposed Development shall be as set forth in the Ordinance approving the Final PUD Plat.
- I. Improvements. The Applicant shall provide sufficient security for all required improvements for the Proposed Development in an amount and form satisfactory to the Village and in accordance with the applicable provisions of the Village Code.
- J. Roadways. The roadways within the Proposed Development shall be privately owned and maintained and installed in accordance with the Preliminary PUD Plat and the Final PUD Plat, as reviewed and approved by the Village Engineer and the applicable fire authorities. The width of the private roadways shall be subject to the Village Engineer's review and approval and shall be depicted on the Final PUD Plat.
- K. Declaration of Covenants and Restrictions. Prior to the recordation of the Final PUD Plat, the Applicant shall record a declaration of covenants and restrictions, which declaration shall be subject to the review and approval of the Village Attorney. The declaration shall, at a minimum, include provisions: (a) requiring preservation in perpetuity of the platted conservation and permanent open space areas on the Property; (b) requiring maintenance in perpetuity by a homeowners' association established for the entire Property of all platted conservation and open space areas, all private roadways and related improvements, stormwater detention facilities, and all other common areas and improvements on the Property; and (c) authorizing, but not requiring, the Village to perform such maintenance at the expense of the homeowners' association if the association fails to fulfill its obligations under the declaration and to file a lien against the Property in the amount of any maintenance costs and expenses incurred by the Village.
- L. CSCC Review. Prior to the approval of the Final PUD Plat, the Applicant shall submit to the Conservancy Scenic Corridor Committee ("**CSCC**"), for its review and approval, plans for the proposed final location and proposed planting

materials for all conservancy and scenic corridor areas on the Property, provided, however, that the widths of the scenic corridor areas on the Property shall be as depicted on the Preliminary PUD Plat. In addition, the CSCC shall confirm that all conservancy and scenic corridor areas on the Property are depicted on the Final PUD Plat in locations that are either owned in fee simple by an association representing the entire property, or are subject to easements providing for control and maintenance of the conservancy and scenic corridor areas by such association.

- M. Design Standards. The Applicant shall submit elevations and detailed plans and renderings for review and approval by the Architectural Board as provided in Section 5-11-19 of the Zoning Code. The review of elevations and detailed plans and renderings shall include without limitation consideration of details regarding the exterior architectural styles, quality of design and its relationship to the overall development, predominant materials, exterior amenities, and interior amenities. No signage or exterior lighting for the Property shall be installed without prior approval from the Architectural Board.
- N. Fees and Costs. The Applicant shall be responsible for paying all applicable fees relating to the granting of the approvals set forth herein in accordance with the Long Grove Village Code and Zoning Code. In addition, the Applicant shall reimburse the Village for all of its costs (including without limitation engineering, planning, and legal expenses) incurred in connection with the preparation, review, consideration, approval, implementation, or enforcement of this Ordinance, the Preliminary PUD Plat, and any Final PUD Plat. Any amount not paid within 30 days after delivery of a demand in writing for such payment shall, along with interest and the costs of collection, become a lien upon the Property, and the Village shall have the right to foreclose such lien in the name of the Village as in the case of foreclosure of liens against real estate.
- O. Transferees. The rights and obligations set forth in this Ordinance shall be binding on the Applicant and upon any and all of the Applicant's heirs, successors, and assigns, and upon any and all successor legal or beneficial owners of all or any portion of the Property. To the extent that a successor becomes bound to the obligation created herein pursuant to a transferee assumption agreement acceptable to the Village, and such successor demonstrates to the Village that it has the financial viability to meet the obligations herein, the Applicant shall be released from its obligations under this Ordinance to the extent of the transferee's assumption of such liability. The failure of the Applicant to provide the Village with an enforceable transferee assumption agreement as herein provided shall result in the Applicant remaining fully liable for all of its obligations under this Ordinance but shall not relieve the transferee of its liability for all such obligations as a successor to Applicant.

In addition, any violation of this Ordinance shall be deemed a violation of the Long Grove Zoning Code and shall subject the Applicant to enforcement proceedings accordingly.

SECTION FOUR: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by

law; provided, however, that this Ordinance shall be of no force or effect unless and until the Applicant has caused duly authorized representatives of the Applicant to execute and thereafter file with the Village its unconditional agreement and consent, in the form attached hereto as **Exhibit C**, and by this reference incorporated herein and made a part hereof; provided further that, if the Applicant does not so file its unconditional agreement and consent within 30 days following the passage of this Ordinance, the Village Board may, in its discretion and without public notice or hearing, repeal this Ordinance and thereby revoke the approvals granted in this Ordinance. Upon this Ordinance having full force and effect, the Village Clerk shall cause it to be recorded in the Office of the Lake County, Illinois Recorder of Deeds.

PASSED this ____ day of September, 2016

AYES: ()

NAYS: ()

ABSENT: ()

APPROVED this ____day of September, 2016

Village President

ATTEST:

Village Clerk

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY (Parcel 1 and Parcel 2)

PARCEL 1:

THAT PART OF THE SOUTH HALF OF SECTION 35, TOWNSHIP 44 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE EAST MOST NORTHEAST CORNER OF OUTLOT "B" IN INDIAN CREEK CLUB UNIT 5, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 24, 1998 AS DOCUMENT 4091322, BEING ALSO A POINT ON THE WESTERLY LINE OF FAP 432 (ILLINOIS ROUTE 53), ACCORDING TO ILLINOIS DEPARTMENT OF TRANSPORTATION PLAT OF HIGHWAYS, JOB NO. R91-027-00 AND AS CONVEYED BY DOCUMENT NUMBER 3685964; THENCE ALONG NORTHERLY AND EASTERLY LINES OF SAID INDIAN CREEK CLUB UNIT 5, THE FOLLOWING 9 COURSES: SOUTH 59 DEGREES 59 MINUTES 31 SECONDS WEST, 330.03 FEET; THENCE NORTH 88 DEGREES 43 MINUTES 38 SECONDS WEST, 238.31 FEET; THENCE NORTH 57 DEGREES 53 MINUTES 53 SECONDS WEST, 319.46 FEET; THENCE NORTH 74 DEGREES 00 MINUTES 22 SECONDS WEST, 340.03 FEET; THENCE NORTH 53 DEGREES 48 MINUTES 36 SECONDS WEST, 372.12 FEET; THENCE NORTH 57 DEGREES 08 MINUTES 04 SECONDS EAST, 175.00 FEET; THENCE NORTH 32 DEGREES 51 MINUTES 56 SECONDS WEST, 80.00 FEET; THENCE NORTH 57 DEGREES 39 MINUTES 03 SECONDS EAST, 74.97 FEET; THENCE NORTH 27 DEGREES 07 MINUTES 56 SECONDS WEST, 67.00 FEET TO THE SOUTHERLY LINE OF MIDLOTHIAN ROAD (STATE ROUTE 63), ACCORDING TO ILLINOIS DEPARTMENT OF TRANSPORTATION PLAT OF HIGHWAYS, JOB NUMBER R91-027-00; THENCE NORTH 62 DEGREES 50 MINUTES 15 SECONDS EAST, ALONG SAID SOUTHERLY LINE OF MIDLOTHIAN ROAD, 561.14 FEET; THENCE CONTINUING, 15.88 FEET NORTHEASTERLY ALONG SAID SOUTHERLY LINE OF MIDLOTHIAN ROAD, BEING A TANGENTIAL CURVE TO THE LEFT, HAVING A RADIUS OF 2965.00 FEET, CHORD BEARING NORTH 62 DEGREES 41 MINUTES 03 SECONDS EAST 15.88 FEET TO THE WESTERLY LINE OF SAID FAP 432; THENCE ALONG SAID WESTERLY LINE OF FAP 432 THE FOLLOWING 3 COURSES: SOUTH 29 DEGREES 23 MINUTES 35 SECONDS EAST, 521.90 FEET; THENCE SOUTH 58 DEGREES 22 MINUTES 06 SECONDS EAST, 549.19 FEET; THENCE SOUTH 24 DEGREES 31 MINUTES 20 SECONDS EAST, 116.54 FEET TO THE POINT OF BEGINNING, IN LAKE COUNTY, ILLINOIS.

Commonly known as: Vacant property on Midlothian Rd. south of Countryside Lake Dr.

PIN: 10-35-400-012

PARCEL 2:

THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 44 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST NORTHEAST CORNER OF OUTLOT "B" IN INDIAN CREEK CLUB UNIT 5, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 24, 1998 AS DOCUMENT 4091322, BEING ALSO A POINT ON THE WESTERLY LINE OF FAP 432 (ILLINOIS ROUTE 53), ACCORDING TO ILLINOIS DEPARTMENT OF TRANSPORTATION PLAT OF HIGHWAYS, JOB NO. R91-027-00 AND AS CONVEYED BY DOCUMENT NUMBER 3685964; THENCE SOUTH 59 DEGREES 59 MINUTES 31 SECONDS WEST, 330.03 FEET; THENCE NORTH 88 DEGREES 43 MINUTES 38 SECONDS WEST, 238.31 FEET; THENCE NORTH 57 DEGREES 53 MINUTES 53 SECONDS WEST, 319.46 FEET; THENCE NORTH 74 DEGREES 00 MINUTES 22 SECONDS WEST, 340.03 FEET; THENCE NORTH 53 DEGREES 48 MINUTES 36 SECONDS WEST, 372.12 FEET; THENCE NORTH 57 DEGREES 08 MINUTES 04 SECONDS EAST, 175 FEET; THENCE NORTH 32 DEGREES 51 MINUTES 56 SECONDS WEST, 80 FEET; THENCE NORTH 57 DEGREES 39 MINUTES 03 SECONDS EAST, 74.97 FEET; THENCE NORTH 27 DEGREES 07 MINUTES 56 SECONDS WEST, 67 FEET TO THE POINT OF BEGINNING; THENCE NORTH 62 DEGREES 50 MINUTES 15 SECONDS EAST, 561.14 FEET; THENCE CONTINUING NORTHEASTERLY ALONG A CURVE, 15.88 FEET, BEING A TANGENTIAL CURVE TO THE LEFT, HAVING A RADIUS OF 2965.00 FEET, CHORD BEARING NORTH 62 DEGREES 41 MINUTES 03 SECONDS EAST 15.88 FEET TO THE WESTERLY LINE OF SAID FAP 432; THENCE NORTH 29 DEGREES 23 MINUTES 35 SECONDS WEST TO THE CENTER LINE OF MIDLOTHIAN ROAD; THENCE SOUTHWESTERLY ALONG THE CENTER LINE OF SAID ROAD TO A POINT THAT IS NORTH 27 DEGREES 07 MINUTES 56 SECONDS WEST OF THE POINT OF BEGINNING; THENCE SOUTH 27 DEGREES 07 MINUTES 56 SECONDS EAST TO THE POINT OF BEGINNING, IN LAKE COUNTY, ILLINOIS.

Commonly known as: Vacant property on Midlothian Rd. south of Countryside Lake Dr.

PIN: 10-35-400-011

EXHIBIT B
PRELIMINARY PUD PLAT

[ATTACH PLANS]

DRAFT

PRELIMINARY FLAT
STEINBACH SUBDIVISION
BEING A SUBDIVISION OF

PARCEL 11, OF THE SOUTH HALF OF SECTION 35, TOWNSHIP 44 NORTH, RANGE 10 EAST OF THE THIRD MERIDIAN, LAC COUNTY, WISCONSIN, AS SHOWN ON THE PLAT HERETOFORE RECORDED FEBRUARY 24, 1988 AS DOCUMENT 4091322.

PARCEL 2, OF THE SOUTH HALF OF SECTION 35, TOWNSHIP 44 NORTH, RANGE 10 EAST OF THE THIRD MERIDIAN, LAC COUNTY, WISCONSIN, AS SHOWN ON THE PLAT HERETOFORE RECORDED FEBRUARY 24, 1988 AS DOCUMENT 4091322.

OWNERS CERTIFICATE
STATE OF WISCONSIN } s.s.
I, the undersigned, being duly qualified as a Notary Public in and for said County, do hereby certify that the foregoing is a true and correct copy of the original as the same was presented to me for recording.

THE FOLLOWING PROVISIONS PERTAIN TO PARCEL 8 DEPICTED ON THE FACE OF THIS PLAT:
(1) NO MAN-MADE STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED IN THE FLOOD PLAIN AREA...

NOTARY CERTIFICATE
STATE OF WISCONSIN } s.s.
I, the undersigned, being duly qualified as a Notary Public in and for said County, do hereby certify that the foregoing is a true and correct copy of the original as the same was presented to me for recording.

THE FOLLOWING PROVISIONS PERTAIN TO PARCEL 8 DEPICTED ON THE FACE OF THIS PLAT:
(1) NO MAN-MADE STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED IN THE FLOOD PLAIN AREA...

LAKE COUNTY ENGINEER CERTIFICATE
STATE OF WISCONSIN } s.s.
I, the undersigned, being duly qualified as a Professional Engineer in the State of Wisconsin, do hereby certify that the foregoing is a true and correct copy of the original as the same was presented to me for recording.

THE FOLLOWING PROVISIONS PERTAIN TO PARCEL 8 DEPICTED ON THE FACE OF THIS PLAT:
(1) NO MAN-MADE STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED IN THE FLOOD PLAIN AREA...

SURETY'S DECLARATION OF RECORDING
I, the undersigned, being duly qualified as a Surety, do hereby declare that the foregoing is a true and correct copy of the original as the same was presented to me for recording.

THE FOLLOWING PROVISIONS PERTAIN TO PARCEL 8 DEPICTED ON THE FACE OF THIS PLAT:
(1) NO MAN-MADE STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED IN THE FLOOD PLAIN AREA...

PLAT ENGINEER CERTIFICATE
STATE OF WISCONSIN } s.s.
I, the undersigned, being duly qualified as a Professional Engineer in the State of Wisconsin, do hereby certify that the foregoing is a true and correct copy of the original as the same was presented to me for recording.

THE FOLLOWING PROVISIONS PERTAIN TO PARCEL 8 DEPICTED ON THE FACE OF THIS PLAT:
(1) NO MAN-MADE STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED IN THE FLOOD PLAIN AREA...

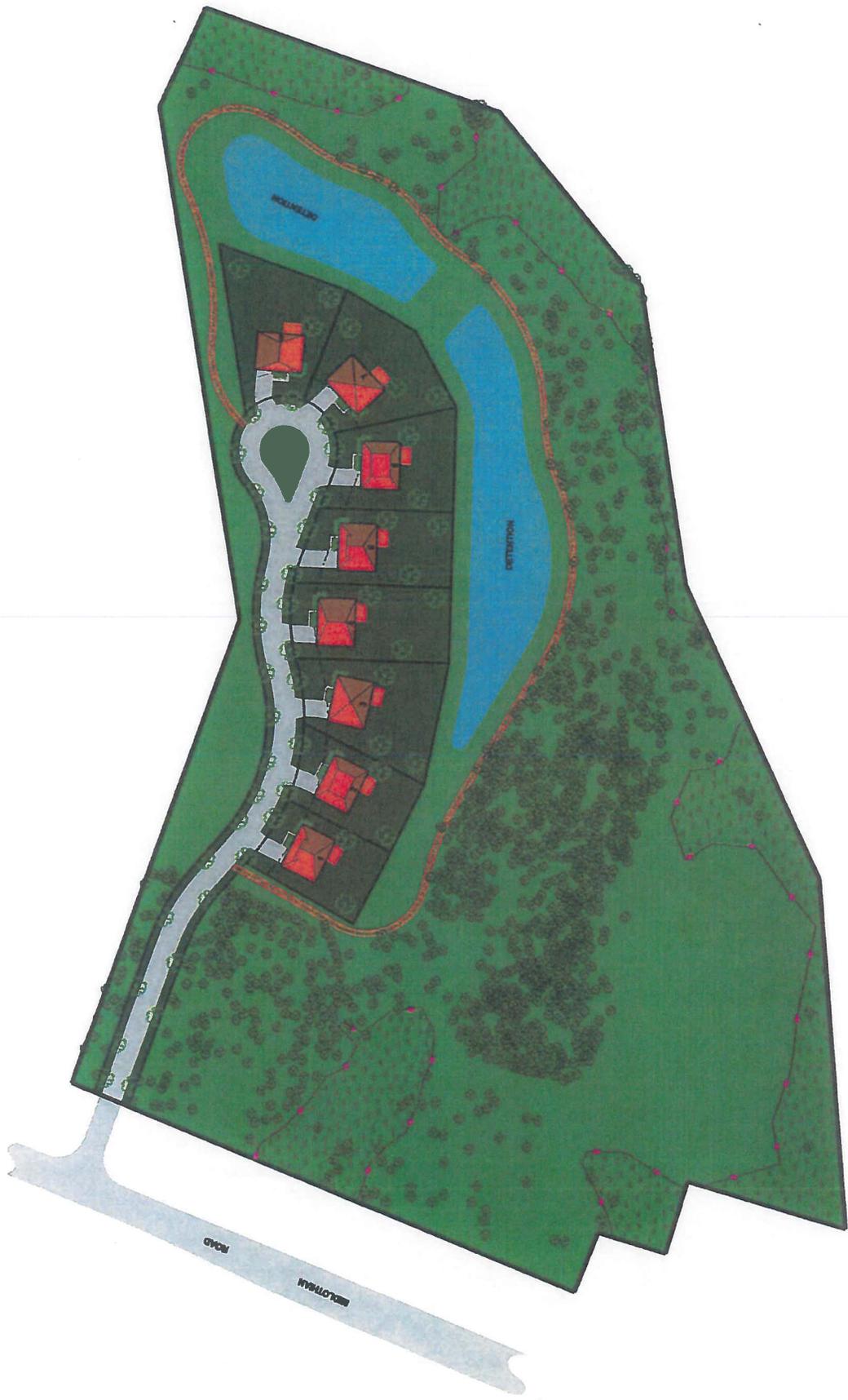
NOTARY CERTIFICATE
STATE OF WISCONSIN } s.s.
I, the undersigned, being duly qualified as a Notary Public in and for said County, do hereby certify that the foregoing is a true and correct copy of the original as the same was presented to me for recording.

THE FOLLOWING PROVISIONS PERTAIN TO PARCEL 8 DEPICTED ON THE FACE OF THIS PLAT:
(1) NO MAN-MADE STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED IN THE FLOOD PLAIN AREA...

Table with 4 columns: No., Date, Description, By. Rows include items like '1-27-18 REMOVE DM', '3-4-18 REMOVE DM', '3-4-18 REMOVE DM', '2-2-18 REMOVE DM', '1-2-18 REMOVE DM'.

NOTES:
This plat was prepared by the undersigned in accordance with the provisions of the Wisconsin Subdivision Plat Act, Chapter Trans. 100, Stats.
The undersigned is a duly licensed Professional Engineer in the State of Wisconsin.

ALLEN AND ASSOCIATES, LTD.
1015 N. CORPORATE CENTER, SUITE C
MILWAUKEE, WISCONSIN 53212
PHONE 847-22-8811 FAX 847-22-8888



 PEARSON, BROWN & ASSOCIATES, INC. CONSULTING ENGINEERS 1800 W. WINDSETER ROAD - SUITE 200 LITTLE ROCK, AR 72117 PHONE (501) 384-4787 FAX (501) 384-4787 E-MAIL ADDRESS: pb@pearsonbrown.com	TITLE: ILLUSTRATIVE SITE PLAN	DRIFT A
	PROJECT: STEINBACH PROPERTY LONG GROVE, IL PROJECT NO.: 101 DATE: 08/20/13	NORTH 
	 SCALE: 1" = 100'	

EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

Pursuant to Section Four of Long Grove Ordinance No. 2016-O-____, and to induce the Village of Long Grove to grant the approvals provided for in such Ordinance, the undersigneds acknowledge for themselves and their successors and assigns in title to the Property that they:

1. have read and understand all of the terms and provisions of said Ordinance No. 2016-O-____;
2. hereby unconditionally agree to accept, consent to, and abide by all of the terms, conditions, restrictions, and provisions of this Ordinance, the Long Grove Zoning Code, and all other applicable codes, ordinances, rules, and regulations;
3. acknowledge and agree that the Village is not and shall not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's issuance of any permits for the use of the Property, and that the Village's issuance of any permit does not, and shall not, in any way, be deemed to insure the Applicant against damage or injury of any kind and at any time;
4. acknowledge that the public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, have considered the possibility of the revocation provided for in the Ordinance, and agree not to challenge any revocation on the grounds of any procedural infirmity or any denial of any procedural right;
5. agree to and do hereby hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of these parties in connection with the Village's adoption of the Ordinance granting the approvals to the Applicant pursuant to the Ordinance; and
6. represent and acknowledge that the persons signing this Unconditional Agreement and Consent are duly authorized to do so on behalf of the Applicant.

ADDISON REAL ESTATE LLC

By: _____

Its: _____