

David Lothspeich

From: victor.filippini@hklaw.com
Sent: Thursday, October 03, 2013 7:36 AM
To: Jessica.W.Olsson@matholdingsinc.com; cpierson@weaverboos.com
Cc: David Lothspeich; James Hogue; bwitkowski@esiltd.com; Marlo.DelPercio@hklaw.com
Subject: LG- MAT Holdings

Dear Jessica and Chad,

The Village has reviewed MAT Holdings' submittals and have the following comments on the Site Plans (which Jessica sent on 9/18/13) and the Amended PUD Plat that Chad's office last revised on 8/12/13.

Background

In 2009, the Village approved an amended PUD for the property that now comprises MAT Holdings' campus (the "**MAT Property**"). That approval authorized development pursuant to specific plans. The 2009 PUD amendment was accompanied by an ordinance pursuant to which the Village vacated all of Wildlife Way. Following the approval of the 2009 PUD amendment, MAT Holdings sought and obtained a building permit to make some interim improvements on its parking lot, although the plans for the interim improvements did not conform with the plans in the 2009 amendment.

Earlier this year, because of access issues with the County, MAT Holdings asked the Village to amend its vacation ordinance regarding Wildlife Way by retaining the northerly 300 feet as a public road for which MAT Holdings would assume responsibility. Such a change would necessarily affect the 2009 PUD amendment, which was premised on the vacation of all of Wildlife Way as depicted on the Site Plan that was dated 10/10/2008 ("**Approved Site Plan**"), which is what was reviewed and recommended by the PCZBA and approved by the Village Board as part of the 2009 PUD amendment. The Approved Site Plan provided for 184 parking spaces, which is 15 spaces more than the minimum zoning requirement. The Village understood that MAT Holdings merely wanted to have the PUD approval modified to reflect the truncated vacation of Wildlife Way but otherwise leave the Approved Site Plan unchanged. Based on that assumption, the Village has been and remains amenable to both modifying the vacation of Wildlife Way and approving a minor amendment to the PUD approvals (which involves a more streamlined process and no public notice or hearing).

The process of modifying the Wildlife Way Vacation and granting a minor amendment to the 2009 PUD amendment, as contemplated by the Village, did not need an updated site plan, as the Approved Site Plan was not expected to change materially. The purpose of including mark-up of the Approved Site Plan in the modified vacation ordinance was simply to depict the point at which Wildlife Way would ultimately be vacated.

Unfortunately, since the Village initially reviewed this matter, MAT Holdings' actual plans for the property have been a source of considerable confusion. Most recently, MAT Holdings has submitted two Site Plans dated 8/14/13 and 9/12/13, and a Proposed Site Plan. The 8/14/13 Site Plan shows an expanded loading dock and significantly reduced parking. The 9/12/13 Site Plan identifies what has been purported to be an as-built site plan showing 175 parking spaces. The Proposed Site Plan shows yet another configuration that includes additional parking that encroaches into the required setback.

Review of MAT Holdings' Submittals

The 8/14/13 Site Plan depicts a substantially enlarged loading area with a corresponding reduction in the number of parking spaces. The 130 spaces proposed fall far short of what is required under the Zoning Code and cannot be approved as part of a minor amendment to the PUD, although MAT Holdings does have the right to seek approval of a modified PUD plan based on the 8/14/13 Site Plan. Such approval would require public notice and hearing and a complete zoning application.

Although the 9/12/13 Site Plan shows "as-built" 175 parking spaces (more than the minimum requirement under the Zoning Code but less than the number included in the Approved Site Plan), based on a site inspection and aerial images of the property, it appears that the 9/12/13 Site Plan does not accurately reflect what is currently on the site. Upon a site inspection it appears that certain spaces identified as existing on the 9/12/13 Site Plan are actually marked as "no parking," and from the aerial depiction it appears that cars are parking in unmarked spaces and areas identified as handicapped loading zones on the 9/12/13 Site Plan. As such, the Village is not prepared to grant a minor PUD amendment based on the 9/12/13 Site Plan.

The Proposed Site Plan presents a different set of problems. Although it is showing more parking than the Approved Site Plan, it also shows the parking located within required setback areas. This also cannot be approved as a minor PUD amendment.

Proposed Approach for Minor PUD Approval

Although the Village is unclear regarding MAT Holdings' ultimate intentions, the Village President has directed us to have a minor PUD amendment ordinance and a modified vacation ordinance for Wildlife Way ready for consideration at the Village Board's 10/8/13 meeting. Accordingly, we will be preparing a minor PUD amendment ordinance that will require, in addition to all standard provisions: (a) the submission of a revision to the Approved Site Plan that (i) complies with the standards in the 2009 PUD amendment, (ii) generally conforms with the Approved Site Plan, (iii) has no fewer than 169 parking spaces as minimally required under the Zoning Code, (iv) is fully compliant with setbacks and parking lot design standards under the Village Code, and (b) implementation of the modified Approved Site Plan by 12/31/14. In addition, like the 2009 PUD amendment, MAT Holdings will be required to prepare an amended and restated plat as required under Section 4.G of the 2009 PUD amendment (see below). That plat will not be recorded unless the parking plan has been implemented or security is in place (consistent with an approved engineer's estimate of probable cost) to ensure full implementation of the revision to the Approved Site Plan.

By taking this approach, MAT Holdings will have the framework it needs to decide how it wants to proceed. As noted above, however, none of the approaches that MAT Holdings has presented to date seem to meet these standards for a minor PUD approval.

Amended PUD Plat

The Village acknowledges receipt of a draft Amended PUD Plat (as last revised 8/12/13). The draft plat needs to be corrected as follows:

- Conservancy District Provisions should read:

The following prohibitions pertain to all conservancy areas and those areas indicated as Flood Zone A depicted on the face of this plat:

Prohibited Uses:

- (a) No man-made structure of any kind shall be constructed in the flood plain.*
- (b) The flood plain shall not be filled nor shall the grade be altered in any respect.*
- (c) No materials shall be utilized or stored which shall have the potential for polluting either surface or ground water.*
- (d) There shall be no floodway alteration.*
- (e) There shall be no disturbing of natural vegetation.*

- The notation regarding vacated Wildlife Way will need to be updated with the correct ordinance number and expanded to show that the full width of Wildlife Way was vacated, even though only the western half is included in this PUD.
- Since 20 ft. along Gilmer is being dedicated for roadway purposes, an additional 20 ft. of scenic corridor easement should be granted to meet the 100 foot scenic corridor requirement in Section 6-4-4(C)(3)(b).

I hope that this e-mail clarifies what the Village is willing and able to do based on the information provided. Additionally, I hope this e-mail (and the minor PUD amendment ordinance, if approved by the Village Board) will make clear what steps MAT Holdings must take to comply with the approved PUD. Please feel free to contact us with questions.

Thanks,

Vic

Victor P. Filippini, Jr. | Holland & Knight

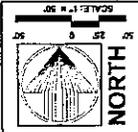
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NORTH

SCALE: 1" = 50'

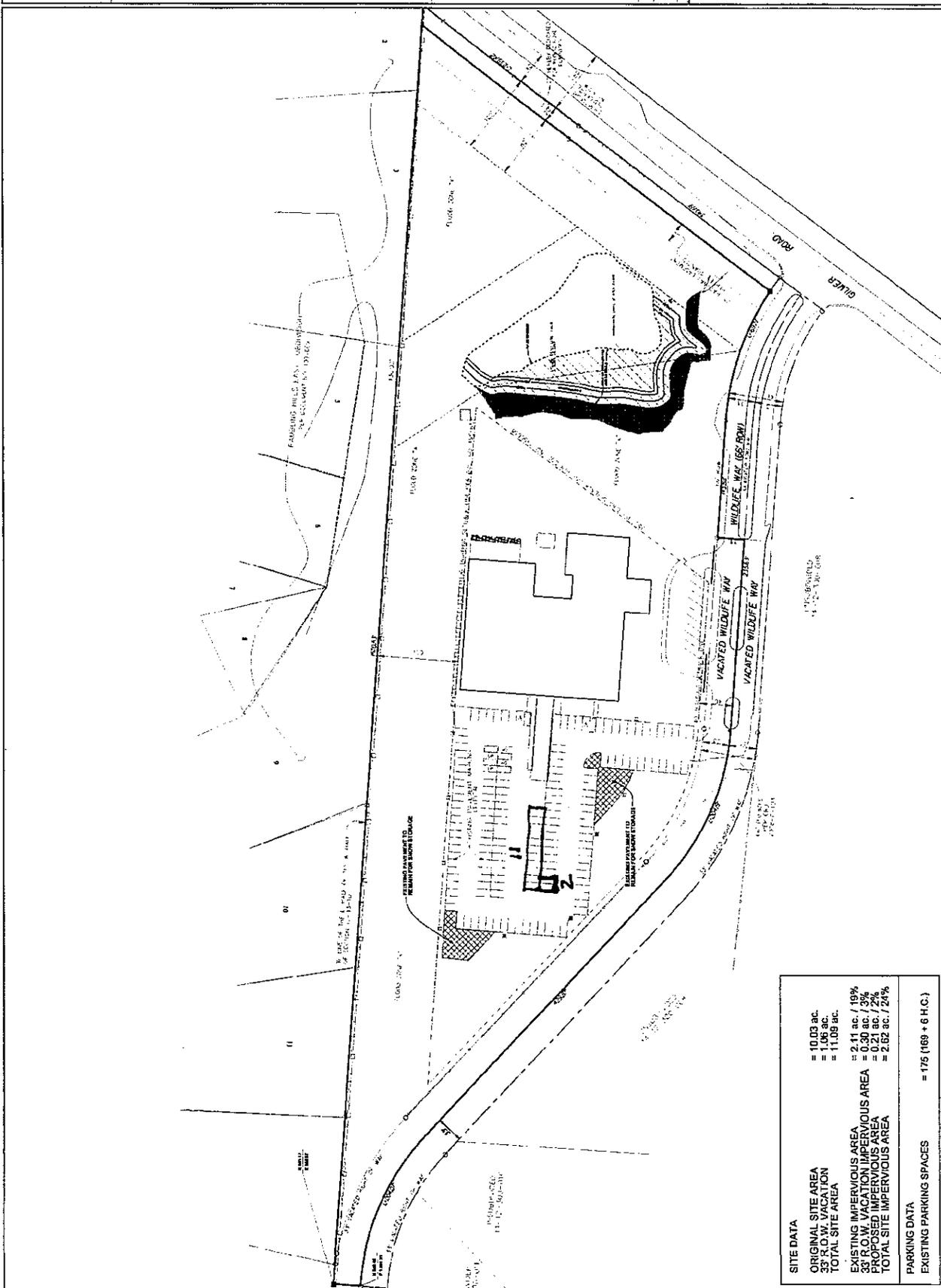
PEARSON, BROWN & ASSOCIATES, INC.
CONSULTING ENGINEERS
132 N. WICKLIFFE ROAD, SUITE 200
LANSING, MI 48203
TEL: (313) 287-2000
FAX: (313) 287-2001
E-MAIL: ACP@PEARSONBROWN.COM

DATE:	11/17/11
DESCRIPTION:	FINAL REVIEW FOR AMENDED AND REFINED P.L.D. PLAN OF 33' R.O.W. VACATION FROM EXISTING REAL ESTATE SUBDIVISION
DRAWN BY:	M.A.A.
CHECKED BY:	J.E.C.
ORIGINAL ISSUE:	1/28/09
FIELD BOOK NO.:	

REVISIONS	
NO.	DESCRIPTION
1	ISSUED FOR PERMITS
2	ISSUED FOR PERMITS
3	ISSUED FOR PERMITS
4	ISSUED FOR PERMITS
5	ISSUED FOR PERMITS
6	ISSUED FOR PERMITS
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18	ISSUED FOR PERMITS
19	ISSUED FOR PERMITS
20	ISSUED FOR PERMITS

SHEET NUMBER: **4**

OF 8 SHEETS



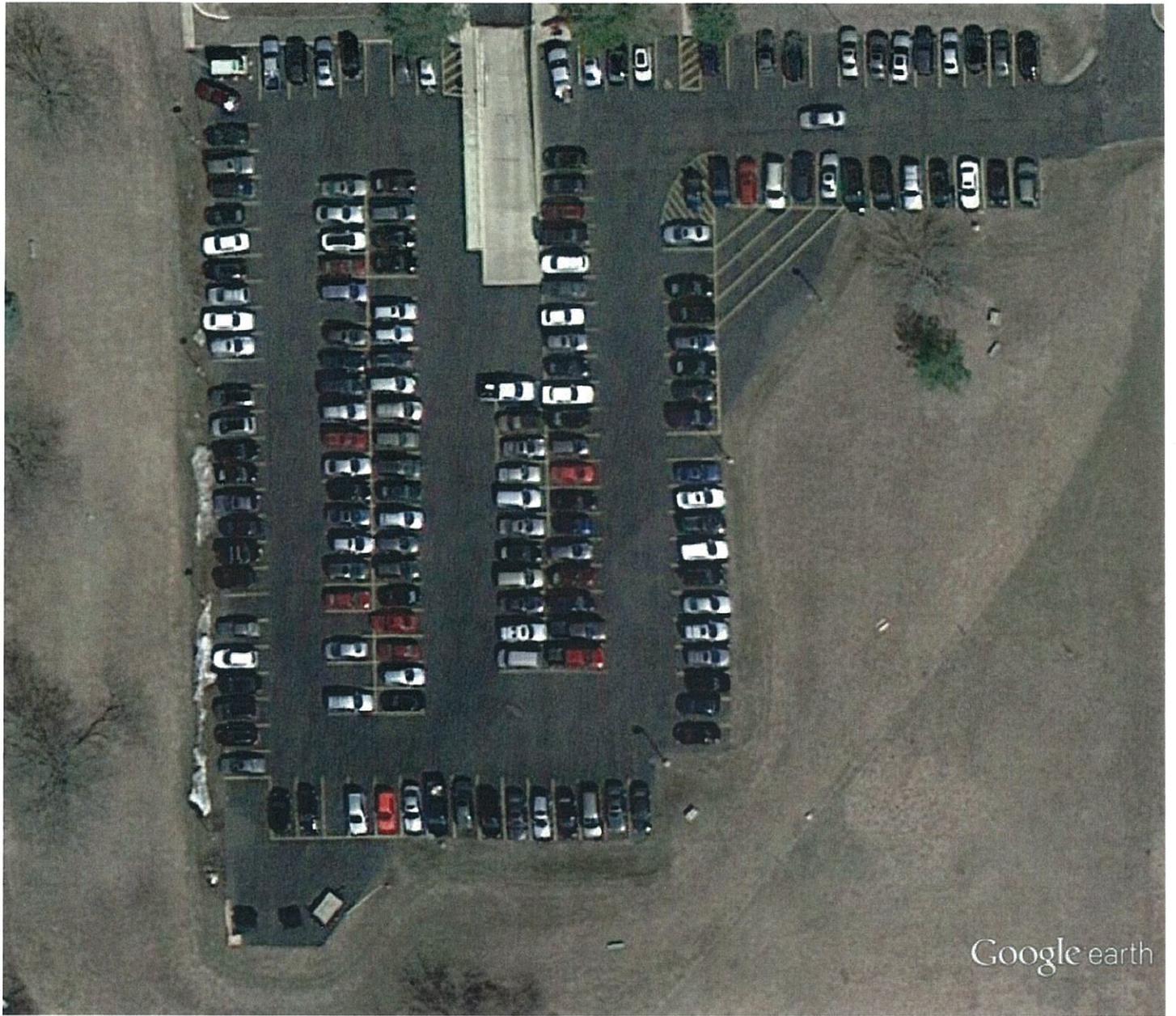
SITE DATA	
ORIGINAL SITE AREA	= 10.03 ac.
33' R.O.W. VACATION	= 1.06 ac.
TOTAL SITE AREA	= 11.09 ac.
EXISTING IMPERVIOUS AREA	= 2.41 ac. / 19%
33' R.O.W. VACATION IMPERVIOUS AREA	= 0.30 ac. / 3%
PROPOSED IMPERVIOUS AREA	= 0.21 ac. / 2%
TOTAL SITE IMPERVIOUS AREA	= 2.62 ac. / 24%
PARKING DATA	
EXISTING PARKING SPACES	= 175 (169 + 6 H.C.)



Google earth

feet
meters





Google earth

feet
meters



David Lothspeich

From: David Lothspeich
Sent: Tuesday, October 01, 2013 11:29 AM
To: 'Dan Duffy'
Cc: 'Angie Underwood'; James Hogue
Subject: RE: FW: MAT Holdings - Wildlife Way Road
Attachments: MAT Holdings Site Plan Review 09092013.pdf

Dan,

I share your frustration but we (the Village) had been on hold for many months while waiting on MAT Holdings. While all of this may be relayed to you as the Village dragging its' feet or holding them up due to bureaucratic concerns, I can assure you that the Village has been in constant communication with MAT since we first met in February and has been responsive to their requests when they supply the required materials but that the delay has truly been on MAT's side of things by taking nearly 6 months to provide required modified site plan to the Village. As you will note from the numerous emails below, on March 5th MAT was originally tentatively schedule for the March 12th Village Board Agenda in anticipation of having the required revised plan in advance of the Board Meeting.

On August 14th MAT submitted their request site plan that was identified by MAT as "as-built" plan. On September 9th the Village responded with the attached review letter noting that this site plan was different than what was approved in 2009. The Village confirmed that MAT filed for and received a building permit in 2009 (shortly after their zoning approvals were granted to allow them to expand) to modify their parking lot and add spaces as shown on their "as-built" plan. This plan was evidently an interim solution to add some parking while not triggering the requirements of the Lake County Division of Transportation. Unfortunately, this site plan was not consistent with the approved expansion plan that was approved with their 2009 zoning approvals (either layout or # of parking spaces) and therefore informed MAT that so long as they modify the plan to meet the minimum number of parking spaces required by Code, the Village Board could approve the other changes through a minor amendment to the plans by the Village Board. If they do not meet this minimum, then they would be required to go back through the major amendment process that began years ago with their original 2009 zoning application.

The Village received further revised plans again last week and is reviewing them and will provide MAT further direction today. The Village has reviewed MAT's most recent submittal and although there remain some issues that MAT will need to confirm/address prior to approval, the necessary approvals are on the upcoming October 8th Board Agenda for approval. Assuming that the required information is provided by MAT, the Village Board will be approving next week. If the 6 month delay by MAT is taken out of the time-line, the Village approvals would have taken less than 2 months for the Village to review approve their request.

Please let me know if you have any questions and/or if I can be of further assistance.

Thanks,

Dave

From: Dan Duffy [mailto:senatorduffy@gmail.com]
Sent: Tuesday, October 01, 2013 9:55 AM
To: David Lothspeich
Subject: Re: FW: MAT Holdings - Wildlife Way Road

David,

We are now making a bad situation worse. Jobs continue to fly out of our state and county and nobody seems to care.

I am told now by Lake County officials that Long Grove is the hold up? What is going on and why is this taking so long? MAT is not going to wait much longer, and I am sure they probably are already looking at their options outside of Lake County and I can't blame them.

Why is this so difficult? Due to the bureaucratic nightmare, the solution to this problem will already be pushed off until next year. What is the hold up???

If we can't solve a problem like this, no wonder we are having a difficult time getting business to locate in Lake County or Long Grove.

Please advise.

Dan

From: Jessica Wang Olsson [mailto:Jessica.W.Olsson@matholdingsinc.com]
Sent: Wednesday, September 18, 2013 8:15 AM
To: David Lothspeich
Subject: Site plans

Dave,

Thanks for your patience. Attached please find 2 site plans – (1) existing layout reflecting 175 parking spaces, (2) expanded parking layout reflecting 200 spaces. Please use whichever site plan that will cause the fewest delays to moving forward with the left turn lane. Feel free to give me a call to discuss if you have any questions – I will be in the office all day today.

Jessica W. Olsson
Treasury Manager
MAT Holdings, Inc.
6700 Wildlife Way
Long Grove, IL 60047
Tel. 847-383-8582

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From: Jessica Wang Olsson [mailto:Jessica.W.Olsson@mathold.com]
Sent: Thursday, July 11, 2013 5:34 PM
To: David Lothspeich
Cc: Brian Witkowski; James Hogue
Subject: RE: Wildlife Way

Dave,

Thanks for checking in. I am awaiting an estimated time of completion from the service providers that will update the site plan and PUD. I'll keep you posted.

Thanks,

Jessica W. Olsson

Treasury Manager
MAT Holdings, Inc.
6700 Wildlife Way
Long Grove, IL 60047
Tel. 847-383-8582

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From: David Lothspeich [<mailto:lothsd@longgrove.net>]
Sent: Thursday, July 11, 2013 3:59 PM
To: David Lothspeich; Jessica Wang Olsson
Cc: Brian Witkowski; James Hogue
Subject: RE: Wildlife Way

Jessica,

Please let me know the status of the project....I'm putting together the board meetings in August and want to be sure to keep your project moving forward.

Thanks,

Dave

From: David Lothspeich
Sent: Friday, June 21, 2013 12:43 PM
To: 'Jessica Wang Olsson'
Cc: 'Brian Witkowski'; James Hogue
Subject: RE: Wildlife Way

Jessica,

Thanks for the follow-up email. Yes, your understanding is correct. I would need to get the language from our engineer so in order to be as efficient as possible I would suggest having your surveyor/engineer contact our engineer (Brian Witkowski - copied) directly to discuss the plat requirements, including this language.

Thanks,

Dave

From: Jessica Wang Olsson [<mailto:Jessica.W.Olsson@mathold.com>]
Sent: Thursday, June 20, 2013 4:55 PM
To: David Lothspeich
Subject: Wildlife Way

Dave,

Thanks for your call earlier this week. Just to confirm my understanding of our conversation, you have confirmed that the vacation of Wildlife Way and the modification of the PUD was never recorded therefore Wildlife Way is still a **public road** and as such it does not require MAT to get permission from our neighbor, Mr. Waud, to proceed.

Therefore the next step is for me to provide a revised Site Plan and Plat of Subdivision with the following changes. Can you please provide the specific language you would like to see on the Plat of Subdivision that references the maintenance agreement?

1. Updates/Changes to the Site Plan and Plat Of Subdivision.

- A. Site Plan. - Dates need to be changed from "2008" to "2013".
- B. Plat Of Subdivision. Updates on the date of the plat and the area depicted as Public ROW and Private ROW. Reference to the owner of the Mat Holdings property agreeing to maintain the Public portion of Wildlife Way will need to be noted on the face of the Plat of Subdivision.

Just as a side note, I will be out of the office June 24 – July 4, so I will try to start this before I head out but it may not be resolved until after my return.

Thanks,

Jessica W. Olsson
Treasury Manager
MAT Holdings, Inc.
6700 Wildlife Way
Long Grove, IL 60047
Tel. 847-383-8582

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From: Jessica Wang Olsson [mailto:Jessica.W.Olsson@mathold.com]
Sent: Wednesday, March 13, 2013 1:41 PM
To: David Lothspeich
Cc: George Ruhl; Greg Purse
Subject: RE: MAT Holdings - Wildlife Way Road

Hi Dave,

We are just waiting on the approval from our neighbor on the other side of Wildlife Way, so it is very unlikely we will have the plans submitted by the 19th. Please move the item to the draft April 9th board meeting.

Thanks,

Jessica W. Olsson
Treasury Manager
MAT Holdings, Inc.
6700 Wildlife Way
Long Grove, IL 60047
Tel. 847-383-8582

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From: David Lothspeich [mailto:lothsd@longgrove.net]
Sent: Wednesday, March 13, 2013 11:54 AM
To: David Lothspeich; Jessica Wang Olsson
Cc: George Ruhl; Greg Purse
Subject: RE: MAT Holdings - Wildlife Way Road

Jessica,

I am pulling together the March 26th board agenda and thought I'd reach out to you for an update on the status of the revised plat and site plan. Please let me know if you anticipate having the plans submitted by March 19th, if not, I will move the item to the draft April 9th board agenda.

Thanks,

Dave

From: David Lothspeich
Sent: Tuesday, March 05, 2013 11:23 AM
To: 'Jessica Wang Olsson'
Cc: 'George Ruhl'; 'Greg Purse'
Subject: RE: MAT Holdings - Wildlife Way Road

Jessica,

Based upon our conversation I have moved the consideration of the approval ordinance to the March 26th board meeting agenda. I will need to have the revised site plan and plat of survey by Tuesday, March 19th in order to keep this on the March 26th board agenda. If not March 26th, the next board meeting would be April 9th and would need the docs by April 2nd.

Please continue to keep me apprised as to the status of getting the approvals from the neighboring property owner.

Thanks again,

Dave

From: David Lothspeich
Sent: Tuesday, March 05, 2013 10:53 AM
To: 'Jessica Wang Olsson'
Cc: 'George Ruhl'; 'Greg Purse'
Subject: RE: MAT Holdings - Wildlife Way Road

Jessica,

Original variation ordinance attached. Please review the "owner" provisions and let me know if you have any corrections/questions.

Thanks again,

Dave

From: David Lothspeich
Sent: Tuesday, March 05, 2013 10:44 AM
To: Jessica Wang Olsson
Cc: George Ruhl; 'Greg Purse'
Subject: RE: MAT Holdings - Wildlife Way Road

Jessica,

Please refer to the attached revised draft approval ordinance that will be considered during the upcoming March 12 board meeting. Also, please add the contact and alternate contact info for Four Season Real Estate

Investments, LLC on the maintenance agreement and email back to me. Please note that we will need to have the revised site plan and plat of survey by tomorrow (Wed, March 6) in order for the Village Board to consider final approvals. Please confirm if this timing is possible, if not I will move off to the draft March 26th board agenda.

Thanks,

Dave

From: Greg Purse [<mailto:Greg.Purse@mathold.com>]
Sent: Wednesday, February 27, 2013 8:52 AM
To: Jessica Wang Olsson; David Lothspeich
Cc: George Ruhl
Subject: RE: MAT Holdings - Wildlife Way Road

Actually, the complete name should be: FOUR SEASON REAL ESTATE INVESTMENTS, LLC

Greg

From: Jessica Wang Olsson
Sent: Wednesday, February 27, 2013 8:20 AM
To: David Lothspeich
Cc: George Ruhl; Greg Purse
Subject: RE: MAT Holdings - Wildlife Way Road

Dave,

Great, please see attached signed letter.

We had a chance to review the proposed Wildlife Way Maintenance Agreement and we had a few comments:

- 1) The agreement should be between the VILLAGE OF LONG GROVE and FOUR SEASON REAL ESTATE INVESTMENT, LLC since they are the owner of the property (and not MAT Holdings, Inc.)
- 2) In Article 3, Section B (Upkeep Notice), the proposed 3 business days is very short and instead we suggest that it should be in line with Article 4, Section A (Termination of Agreement) with the 15 days allotted for correcting a breach.

We will start working on the revised site plan and revised plat of survey.

Best regards,

Jessica W. Olsson
Treasury Manager
MAT Holdings, Inc.
6700 Wildlife Way
Long Grove, IL 60047
Tel. 847-383-8582

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From: David Lothspeich [<mailto:lothsd@longgrove.net>]
Sent: Tuesday, February 26, 2013 2:48 PM
To: Jessica Wang Olsson
Subject: RE: MAT Holdings - Wildlife Way Road

Jessica,

The letter looks good to me and at least will initiate the process...please have signed and send and I will inquire with village counsel if we need anything else with the letter.

Yes, MAT will need to prepare the revised site plan and revised plat of survey that show the revised public ROW. We will need to have these revised documents asap so that they can be reviewed and approved by the village engineer and attorney for approval by the board during the next meeting on March 12.

FYI, the board meeting for this evening was cancelled due to weather and the approvals for MAT will be moved to the March 12th agenda. This should not have any impact on the timing of the improvements to Gilmer since the County has already begun their process with the expectation that these approvals will be granted.

Please let me know if you have any further questions.

Thank,

Dave

From: Jessica Wang Olsson [<mailto:Jessica.W.Olsson@mathold.com>]
Sent: Tuesday, February 26, 2013 9:16 AM
To: David Lothspeich
Subject: FW: MAT Holdings - Wildlife Way Road

Dave,

Is the attached letter acceptable for MAT Holdings' application? If so, I will ask George to sign.

Also, can you advise whether MAT is supposed to provide the revised PUD plan or does the Village already have it?

Thanks,

Jessica W. Olsson
Treasury Manager
MAT Holdings, Inc.
6700 Wildlife Way
Long Grove, IL 60047
Tel. 847-383-8582

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From: Jessica Wang Olsson
Sent: Friday, February 22, 2013 10:18 AM
To: 'David Lothspeich'
Subject: RE: MAT Holdings - Wildlife Way Road

Dave,

In regards to the application MAT Holdings need to provide, is the following proposed application/letter is sufficient? Also, to be clear, is MAT Holdings supposed to provide the revised PUD plan or does the Village already have it?

Thanks,

Jessica W. Olsson
MAT Holdings, Inc.
6700 Wildlife Way
Long Grove, IL 60047
Tel. 847-383-8582

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From: David Lothspeich [<mailto:lothsd@longgrove.net>]
Sent: Thursday, February 21, 2013 9:15 PM
To: Jessica Wang Olsson
Cc: George Ruhl; Greg Purse; James Hogue
Subject: RE: MAT Holdings - Wildlife Way Road

Jessica,

Sounds good. Please refer to the attached draft ordinance (*sans* Exhibit B) repealing the prior vacation of Wildlife Way and vacating the southerly portion of such roadway. Procedurally, this is the first step that needs to be done to effect the revised plans for Wildlife Way and the MAT Holdings, Inc. PUD implementation. Procedurally, MAT Holdings will need to submit an application (an letter addressed to Village President Rodriguez and Trustees) requesting the amendment and the revised plans for the minor PUD amendment that would be resulting from the altered vacation of Wildlife Way. Once the modified plans are available Because the Village Board can consider an ordinance amending the PUD consistent with this plan. If MAT Holdings is able to provide the revised PUD plan to the Village by March 5th, the Village Board will then be in a position to consider the ordinance approving the minor amendment during its' next meeting on March 12, 2013.

Please let me know if you have any questions or if I can be of further assistance.

Thanks,

Dave

From: Jessica Wang Olsson [<mailto:Jessica.W.Olsson@mathold.com>]
Sent: Thursday, February 21, 2013 1:24 PM
To: David Lothspeich
Cc: George Ruhl; Greg Purse
Subject: RE: MAT Holdings - Wildlife Way Road

David,

We don't have any issues with the proposed changed, which would make the first 300 feet, or so, of Wildlife Way Right Of Way as Public and the reminder as Private. Please let me know if there is anything additional you need to continue to move this project forward.

Best regards,

Jessica W. Olsson
MAT Holdings, Inc.

6700 Wildlife Way
Long Grove, IL 60047
Tel. 847-383-8582

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From: David Lothspeich [<mailto:lothsd@longgrove.net>]
Sent: Tuesday, February 19, 2013 12:37 PM
To: George Ruhl; Greg Purse
Cc: Jessica Wang Olsson; victor.filippini@hklaw.com; James Hogue; Maria; Angie Underwood; Marlo.DelPercio@hklaw.com
Subject: RE: MAT Holdings - Wildlife Way Road
Importance: High

George and Greg,

In reviewing the various approvals to date for the expansion of the parking lot, we noted a few limitations that will require approval of a minor amendment to the PUD by the Village Board. The following summarizes the issues and the suggested approvals:

1. Village Ordinance 2009-O-03 (attached) includes reference to the site plan and plat of subdivision in Section Four A (page 5).
2. Village Ordinance 2009-O-03 includes reference to specific setbacks for the expanded parking area from the property line in Section Four D (pages 5 & 6).

Staff is proposing (subject to review by Village Counsel) that the Village Board consider an ordinance granting further amendments to the PUD as follows:

2. Amendment To Village Ordinance 2009-O-03 (attached) includes reference to the site plan and plat of subdivision in Section Four A (page 5).
 - A. Update to reference plans dated "2013" vs. "2008".
 - B. The Site Plan and Plat of Subdivision will need to updated to change the dates and also change the vacation of the ROW for Wildlife Way. The proposed change would make the first 300 feet, or so, of Wildlife Way Right Of Way as Public and the remainder as Private. Originally we considered making the entire ROW as Public but since there is reference to 40' setbacks from the property line for the expanded parking, keeping this portion of the road as Private would maintain this setback, reduce the extent of amendments required and eliminate concerns of precedent for further reducing the setback requirement. The attached "Wildlife Way - Proposed Public Private ROW Split" depicts the proposed location for the split from Public ROW to Private ROW. There is no magic to this proposed location other than it just seemed to make sense since this is just short of where the access to the Mat Holdings building is located and is at the end of the first median.
3. Amendment To Village Ordinance 2009-O-03 includes reference to specific setbacks for the expanded parking area from the property line in Section Four D (pages 5 & 6). No amendment is required if this portion of the ROW remains Private. If Village Counsel agrees with this approach, it will then be shared with Lake County DOT to be sure that the proposed limited dedication of the Public row sufficiently meets their requirements/concerns.
4. Amendment To Village Ordinance 2009-O-03. Reference that Mat Holdings is agreeing to maintain the Public portion of Wildlife Way (no change from what is currently occurring, but this will need to be documented).
5. Updates/Changes to the Site Plan and Plat Of Subdivision.
 - C. Site Plan. - Dates need to changed from "2008" to "2013".

- D. Plat Of Subdivision. Updates on the date of the plat and the area depicted as Public ROW and Private ROW. Reference to the owner of the Mat Holdings property agreeing to maintain the Public portion of Wildlife Way will need to be noted on the face of the Plat of Subdivision.

This issue is scheduled for consideration during the upcoming February 26th board meeting. Please review and let me know if you have any questions/concerns with this approach and I will let you know if Village Counsel has any concerns.

Thanks,

Dave

From: David Lothspeich
Sent: Tuesday, February 19, 2013 11:13 AM
To: 'jessica.w.olsson@mathold.com'
Cc: 'george.ruhl@matholdingsinc.com'; 'greg.purse@matholdingsinc.com'
Subject: FW: MAT Holdings - Wildlife Way Road

Jessica,

Very good to speak with you. Please refer to the following email that I sent to George and Greg last week. I will be sending a separate email with the suggested procedures that I relayed to you.

Please confirm receipt and if I don't have the correct email addresses for George and Greg.

Thanks,

Dave

From: David Lothspeich
Sent: Wednesday, February 13, 2013 8:42 AM
To: 'george.ruhl@matholdingsinc.com'; 'greg.purse@matholdingsinc.com'
Cc: MR4159@gmail.com; 'Angie Underwood'; 'dan@senatorduffy.com'
Subject: FW: MAT Holdings - Wildlife Way Road

George and Greg,

Thanks again for meeting last week and for taking the time to give us the grand tour of your facilities. I know that we all were impressed with the building and the operations of your business.

As noted below, the Village Board is agreeable to accepting Wildlife Way Road as a public road and plan to take formal action approving this acceptance during their next meeting on February 26th. As part of this approval process, I have asked the Village Attorney to prepare a draft maintenance agreement for MAT holdings to continue the maintenance of Wildlife Way as they did when it was a private road. The draft agreement will be forwarded to you upon receipt.

Please let me know if you have any questions.

Thanks,

Dave

From: David Lothspeich
Sent: Wednesday, February 13, 2013 8:36 AM
To: Trigg, Paula J.; EKarry@lakecountyil.gov
Cc: MR4159@gmail.com; 'Angie Underwood'
Subject: MAT Holdings - Wildlife Way Road

Paula and Emily,

The Village Board discussed and was agreeable to taking action during their next meeting (Feb 26th) to return Wildlife Way Road as a public village road. As I understand the process, Lake County will begin the necessary design/engineering, etc. for the bypass lane on Gilmer Road in anticipation of the Village Board taking formal action approving the acceptance of Wildlife Way Road as a public village road. I will forward the formal approval following the Feb 26th Board Meeting and then will follow with a letter from Village President Rodriguez to Lake County identifying concerns with traffic flow on Gilmer Road at the Wildlife Way Intersection. Lake County will then proceed with the design and construction of the bypass lane on Gilmer Road.

Please let me know if there is anything that I am not stating correctly and/or if you need anything further from the Village.

Thanks again for your good assistance with this project.

Dave

On Tue, Jun 18, 2013 at 11:57 AM, David Lothspeich <lothsd@longgrove.net> wrote:

Dan,

The Village has been requesting updates from MAT on a monthly basis and they are continuing having difficulty working out a maintenance agreement with their neighboring property owner. I am working with MAT to hopefully keep moving forward regardless of their neighbors stance since the agreement would only be to his benefit and therefore is the one

to gain by such an agreement. The Village can take action to vacate the road as soon as we have the revised plat from MAT. I'm hoping that this will all be resolved within the next month...

Thanks,

Dave

From: Dan Duffy [mailto:senatorduffy@gmail.com]
Sent: Monday, June 17, 2013 6:16 PM
To: David Lothspeich
Subject: Re: FW: MAT Holdings - Wildlife Way Road

Hi Dave,

I hope all is well...just following up. Is this all resolved with Mat? Is everything complete...I know there were a few things left to work out.

Thanks,

Dan

On Thu, Feb 28, 2013 at 5:39 PM, David Lothspeich <lothsd@longgrove.net> wrote:

> Dan,

>

> The meeting was cancelled due to the snowstorm. This shouldn't affect
> their progress since we are awaiting on a modified plat of survey and
> site plan from MAT and Lake County agreed to proceed with the
> understanding that the Village was in support of the changes prior to
> the formal approvals being granted.

>

> Please let me know if I can be of any further assistance.

>

> Thanks,

>

> Dave

>

> -----Original Message-----

> From: Dan Duffy [mailto:senatorduffy@gmail.com]

> Sent: Thursday, February 28, 2013 12:31 PM

> To: David Lothspeich

> Subject: Fwd: FW: MAT Holdings - Wildlife Way Road
>
> David,
>
> How's is the Mat Holdings situation going? Did the meeting take place?
>
> Thanks,
>
> Dan
>
>
> ----- Forwarded message -----
> From: David Lothspeich <lothsd@longgrove.net>
> Date: Wed, Feb 13, 2013 at 8:42 AM
> Subject: FW: MAT Holdings - Wildlife Way Road
> To: george.ruhl@matholdingsinc.com, greg.purse@matholdingsinc.com
> Cc: MR4159@gmail.com, Angie Underwood <angie@aunder.com>, dan@senatorduffy.com
>
>
> George and Greg,
>
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> Thanks again for meeting last week and for taking the time to give us
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> Please let me know if you have any questions.
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> Thanks,
>
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> Dave
>