

12/12/2006

11/29/2006

11/8/2006

114-O-06

AN ORDINANCE

**Approving an Amendment to the Zoning Map
to Subdivide 2424 Oakton Street and
Rezone a Portion of 2424 Oakton Street
from I2 Industrial District to C1 Commercial District,
and Granting a Special Use for a Planned Development
at 2424 Oakton Street**

WHEREAS, Lee Fry, on behalf of Real Estate Evanston, LLC (the "Applicant"), owner of the property located in the City of Evanston (the "City") commonly known as 2424 Oakton Street (the "Property"), which is legally described in Exhibits A and B, attached hereto and made a part hereof, on September 6, 2006, submitted an application to the City seeking:

- (1) a Zoning Map amendment:
 - (a) to subdivide the Property into seven (7) lots as described in the Plat of Subdivision, Exhibit C, attached hereto and made a part hereof; and
 - (b) to rezone the portion of the Property, described in Exhibit A and identified as lots 1, 2, and 8 in Exhibit C, from an I2 Industrial District to a C1 Commercial District, with the rest of the Property, described in Exhibit B and identified as lots 3, 4, 5, and 7 in Exhibit C, retaining the I2 Industrial District designation; and

(2) approval of a Special Use for a Planned Development pursuant to the provisions of Sections 6-3-5 "Special Uses," 6-3-6 "Planned Developments," 6-10-1-9 "Planned Developments" (within Commercial Districts), 6-14-1-10 "Planned Developments" (within Industrial Districts), 6-15-1-9 "Planned Developments" (within Special Purpose and Overlay Districts), of the Zoning Ordinance to permit construction of eight (8) structures with a total defined gross floor area one hundred twenty-five thousand, one hundred fifty square feet (128,150 sq. ft), floor area ratios ranging from 0.15 to 1.24, a maximum defined building height not to exceed forty-five feet (45') for the eight (8) proposed structures, and two hundred thirteen (213) open off-street parking spaces; and

WHEREAS, the Plan Commission held public hearings on the application, case no. ZPC 06-10 PD&M, pursuant to proper notice, on September 13, 2006 and October 11, 2006, heard testimony and received other evidence, made a *verbatim* transcript; and

WHEREAS, the Plan Commission's written findings state that the application for amendment of the Zoning Map to rezone the portion of the Property, described in Exhibit A and identified as lots 1, 2, and 8 in Exhibit C, from an I2 Industrial District to a C1 Commercial District, with the rest of the Property, described in Exhibit B and identified as lots 3, 4, 5, and 7 in Exhibit C, retaining the I2 Industrial District designation, meets the standards for amendments to the Zoning Map indicated in Section 6-3-4-5 of the Zoning Ordinance and achieves the public benefits indicated in Section 6-3-6-3 of the Zoning Ordinance; and

WHEREAS, construction of the Planned Development, as proposed by the Applicant, requires development allowances from the strict application of the yard requirements, floor area ratio, off-street parking spaces, and fence height regulations otherwise required by the applicable zoning regulations of the Zoning Ordinance; and

WHEREAS, pursuant to Sections 6-3-6-4, 6-3-6-5, and 6-3-6-6 of the Zoning Ordinance, a planned development may provide for development allowances and modifications to site development allowances that depart from the yard requirements, floor area ratio, off-street parking spaces, fence height, and other regulations established in the Zoning Ordinance, subject to approval of the City Council; and

WHEREAS, the Plan Commission's written findings state that the application for planned development: meets the standards for special uses indicated in Section 6-3-5-10 of the Zoning Ordinance; adequately addresses the general conditions for planned developments in Industrial, Commercial, and Redevelopment Overlay Districts indicated in Sections 6-14-1-10, 6-10-1-9, and 6-15-1-9, respectively, of the Zoning Ordinance; adequately addresses the site controls and standards for planned developments in Industrial, Commercial, and Redevelopment Overlay Districts in Sections 6-14-1-10, 6-10-1-9, and 6-15-1-9, respectively, of the Zoning Ordinance; and adequately addresses the development allowances for planned developments in Industrial, Commercial, and Redevelopment Overlay Districts in Sections 6-14-1-10, 6-10-1-9, and 6-14-1-10, respectively, of the Zoning Ordinance; and

WHEREAS, the Plan Commission recommended approval of the application for Zoning Map amendment and Planned Development; and

WHEREAS, the Planning and Development Committee of the City Council at its November 13, 2006 and November 27, 2006 meetings considered the record in this Case No. ZPC 06-10 PD&M; and

WHEREAS, the Planning and Development Committee of the City Council at its November 27, 2006, adopted the findings and recommendations of the Plan Commission, and recommended approval by the City Council; and

WHEREAS, the City Council, at its November 27, 2006 meeting, referred the matter back to the Planning and Development Committee; and

WHEREAS, the Planning and Development Committee, at its December 11, 2006 meeting, amended the proposed ordinance; and

WHEREAS, the City Council, at its December 11, 2006 meeting, considered and adopted the respective records and recommendations of the Plan Commission and the Planning and Development Committee;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That the foregoing recitals are found as fact and made a part hereof.

SECTION 2: That the City Council hereby adopts the plat of subdivision in Exhibit C.

SECTION 3: That the City Council hereby adopts the findings and recommendations of the Plan Commission and the Planning and Development

Committee and approves an amendment to the Zoning Map cited in Section 6-7-2 of the Zoning Ordinance to rezone the portion of the Property, described in Exhibit A and identified as lots 1, 2, and 8 in Exhibit C, from an I2 Industrial District to a C1 Commercial District, with the rest of the property, described in Exhibit B and identified as lots 3, 4, 5, and 7 in Exhibit C, retaining the I2 Industrial District designation. The City Council's adoption of the Plan Commission's findings pursuant to the requirements of Section 6-3-6-6 of the Zoning Ordinance constitute its written finding of fact that the site development allowances granted by this Ordinance are essential to achieve one or more public benefits described in Section 6-3-6-3.

SECTION 4: That the City Council hereby adopts the respective records and findings and recommendations of the Plan Commission and the Planning and Development Committee and approves a special use for a Planned Development permitting the construction and operation on the Property of an eight (8) building mixed commercial and industrial development as detailed in the Development Plan approved by the City (with such revisions made during final design as may be required for construction and Code compliance), attached hereto as Exhibit D and made a part hereof, and the terms of this Ordinance.

SECTION 5: Pursuant to Sections 6-3-6-5 and 6-3-6-6 of the Zoning Ordinance and in conformance with the terms and conditions of this Ordinance, the following site development allowances and modifications are hereby granted to the Planned Development:

- A. A site development allowance for setbacks of five feet (5') from the east and/or south interior side property lines of Lots 3, 4, and 5, as described in Exhibit C, and a setback of five feet (5') from the west property line for Lot 7, as described in Exhibit C, whereas Section 6-14-3-6 of the Zoning Ordinance requires a minimum setback, in the I2 Industrial district, of eight feet (8') for interior side yards abutting a nonresidential district and a minimum setback of twenty feet (20') for the rear yard abutting a nonresidential district; and
- B. A site development allowance for a floor area ratio of approximately 1.24 for the proposed mini-storage warehouse facility to be located on Lot 7 as described in Exhibit C, whereas Section 6-14-3-8 establishes a maximum permitted floor area ratio of 1.0 in the I2 district; and
- C. A site development allowance for twenty-eight (28) off-street parking spaces for the proposed mini-storage warehouse facility to be located on Lot 7 as described in Exhibit C, whereas Section 6-16-3-6 requires fifty-three (53) off-street parking spaces in the I2 Industrial district; and
- D. A site development allowance for a proposed fence, thirteen feet (13') in height, to run along the western edge of Lot 8 as described in Exhibit C, whereas Section 6-4-6-7 allows for a height of six feet (6') in the C1 Commercial District.

SECTION 6: That pursuant to Section 6-3-5-12 of the Zoning Ordinance, which provides that the City Council may impose conditions on the grant of a special use, these conditions are hereby imposed:

- A. Development and use of the Property shall be in substantial compliance with all applicable legislation and City ordinances, with the testimony and representations of the Applicant to the Plan Commission, the Planning and Development Committee, and the City Council, and with all approved plans and documents on file in Case No. ZPC 06-10 PD&M.
- B. When necessary to effectuate the terms and conditions and purposes of this Ordinance, "Applicant" shall read as "Applicant's agents, assigns and successors in interest."
- C. Only the Gas Station/Convenience Store/Fast Food business, to be located on Lot 8, in Exhibit D, may operate twenty-four (24) hours a day.

D. Litter Collection Plan:

- 1) The Applicant shall implement and adhere to a Litter Collection Plan requiring the policing of an area located within a two hundred fifty-foot (250') radius of the proposed Type 2 Restaurant. This area shall be policed once every three (3) hours during the hours the use is in operation and shall be kept free of all litter, including, but not limited to, food, beverages, napkins, straws, containers, bags, utensils, plates, cups, bottles, cans, and all other litter of any type emanating from any source. The operator of the Type 2 Restaurant shall comply with the Litter Collection Plan. This Ordinance shall prevail over any inconsistent or contrary provisions in the Plan.
- 2) For the purpose of this Ordinance, "litter" shall include, but is not limited to: putrescible animal and vegetable waste resulting from the handling, preparation, cooking, and consumption of food; other putrescible waste, including animal waste, dead animals, yard clippings and leaves; nonputrescible solid waste, including rubbish, ashes, street cleanings, abandoned automobiles, solid business, commercial, and industrial wastes, paper, wrappings, cigarettes, cardboard, tin cans, glass, bedding, crockery and similar materials; and all other waste materials which, if deposited as herein prohibited, may create a danger to public health, safety, or welfare.

E. Litter Pick-Up Plan:

- 1) The owner of the Subject Property, the operator, and/or applicant of the Type 2 Restaurant shall provide and maintain on the Property exterior litter receptacles in sufficient number and type adequate, in the City's judgment, and with collections there from of sufficient frequency, also in the City's judgment, to contain, with lids tightly shut, all litter emanating from operation of the use, and all litter collected pursuant to the Litter Collection Plan. Collections shall be a minimum of three (3) times a week, including collections on Sundays to the extent necessary, in the City's judgment, to comply with this condition. All litter receptacles shall be maintained in a clean condition with tight-fitting lids, and shall be placed on Code-compliant surfaces. The owner of the Property shall provide adequate space at the rear of and on the Property to accommodate the litter receptacles and collections required.
- 2) Within seven (7) days of written notice from the City to do so, the number of litter receptacles and/or the number of collections from each, shall be increased or modified in accordance with the City's directive.

- F. An employee parking plan shall be implemented and adhered to, as a minimum, requiring the operator of the Type 2 Restaurant and the operator's employees to park at an off-street parking facility available in the neighborhood when driving to their employment at the Type 2 Restaurant approved hereby.
- G. The operator of the Type 2 Restaurant shall not use in or on the Property any deep fryers, grills, ovens, or other cooking appliances that ventilate to the exterior of the building.
- H. No public telephone shall be installed outdoors anywhere on the Property.
- I. No automated teller machine (ATM) shall be installed outdoors anywhere on the Property.

SECTION 7: That the Applicant is required to record a certified copy of this Ordinance 114-O-06, including all Exhibits hereto, as well as the City's Release of the Covenants relating to the Property, at its cost, with the Cook County, Illinois Recorder of Deeds before any City permits may be obtained.

SECTION 8: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 9: If any provision of this Ordinance 114-O-06 or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance 114-O-06 that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

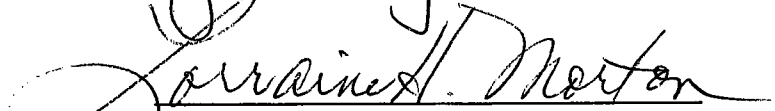
SECTION 10: That this Ordinance 114-O-06 shall be in full force and effect from and after its publication, approval, and publication in the manner provided by law.

Introduced: November 13, 2006

Approved:


Adopted: December 11, 2006

January 4, 2007



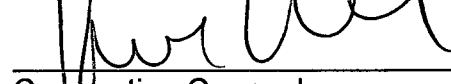
Lorraine H. Morton, Mayor

Attest:



Mary R. Morris, City Clerk

Approved as to form:



Corporation Counsel

EXHIBIT A

LEGAL DESCRIPTION

THAT PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 41 NORTH, RANGE 13; RUNNING THENCE SOUTH ALONG WEST LINE OF SAID NORTHWEST QUARTER OF NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, A DISTANCE OF 47.06 FEET TO THE SOUTH RIGHT OF WAY LINE OF OAKTON STREET TO A POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 59 MINUTES 45 SECONDS EAST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 535.46 FEET TO A POINT; THENCE SOUTH 02 DEGREES 56 MINUTES 11 SECONDS WEST ALONG A LINE 40.05' WEST OF AND PARALLEL WITH THE EAST LINE OF LOT 1 IN WILLIAM JOHNSON'S SUBDIVISION, A DISTANCE OF 150.00 FEET; THENCE SOUTH 89 DEGREES 59 MINUTES 45 SECONDS EAST, A DISTANCE OF 0.04 FEET; THENCE SOUTH 02 DEGREES 56 MINUTES 11 SECONDS WEST, A DISTANCE OF 246.33 TO A POINT; THENCE NORTH 87 DEGREES 03 MINUTES 49 MINUTES WEST, A DISTANCE OF 301.40 FEET; THENCE NORTH 02 DEGREES 42 MINUTES 56 SECONDS EAST, A DISTANCE 138.19 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 45 SECONDS WEST, A DISTANCE OF 233.17 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, THENCE NORTH 02 DEGREES 56 MINUTES 11 SECONDS EAST ALONG SAID WEST LINE OF NORTHWEST QUARTER OF SECTION 25 A DISTANCE OF 242.68 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

CONTAINING: 173,799.91 SQ FT. (3.99 ACRES)

COMMONLY KNOWN AS: **2424 OAKTON STREET**

LOTS 1, 2, AND 8, TO BE RE-ZONED C1-COMMERCIAL DISTRICT

EXHIBIT B

LEGAL DESCRIPTION

THAT PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 41 NORTH, RANGE 13; RUNNING THENCE SOUTH ALONG WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, A DISTANCE OF 47.06 FEET TO THE SOUTH RIGHT OF WAY LINE OF OAKTON STREET; THENCE CONTINUING SOUTH 02 DEGREES 56 MINUTES 11 SECONDS WEST ALONG SAID WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, A DISTANCE OF 242.68 TO A POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 59 MINUTES 45 SECONDS EAST, A DISTANCE OF 233.17 FEET; THENCE SOUTH 02 DEGREES 42 MINUTES 56 SECONDS WEST, A DISTANCE OF 138.19 FEET; THENCE SOUTH 87 DEGREES 03 MINUTES 49 SECONDS EAST, A DISTANCE OF 301.40 FEET; THENCE SOUTH 02 DEGREES 56 MINUTES 11 SECONDS WEST, A DISTANCE OF 195.00 FEET; THENCE NORTH 87 DEGREES 03 MINUTES 49 SECONDS WEST; A DISTANCE OF 534.80 TO A POINT ON SAID WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25 A POINT ALSO BEING 611.00 FEET SOUTH OF SAID NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF NORTHWEST QUARTER OF SECTION 25, THENCE NORTH 02 DEGREES 56 MINUTES 11 SECONDS EAST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, A DISTANCE OF 321.26 FEET TO THE POINT OF BEGINNING; IN COOK COUNTY, ILLINOIS.

CONTAINING: 135,113.22 SQ FT. (3.10 ACRES)

COMMONLY KNOWN AS: **2424 OAKTON STREET**

LOTS 3, 4, 5, AND 7, TO RETAIN I2-INDUSTRIAL DISTRICT ZONING

EXHIBIT C

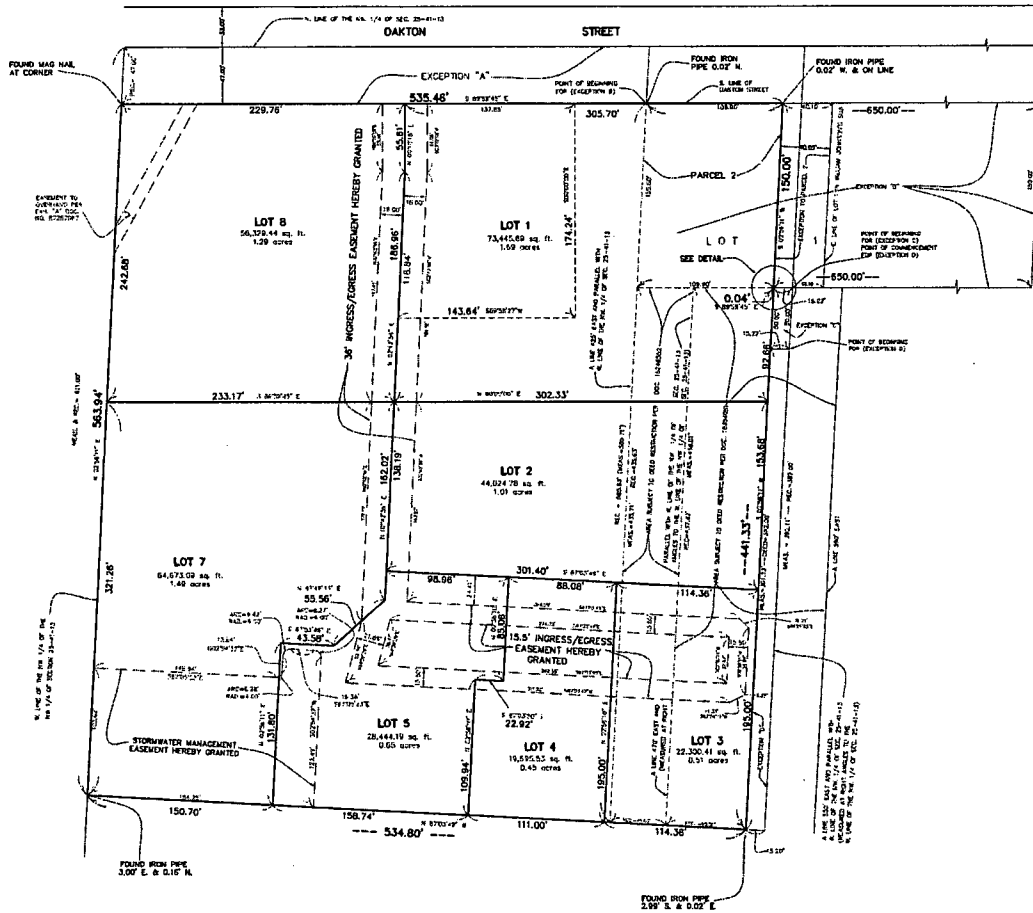
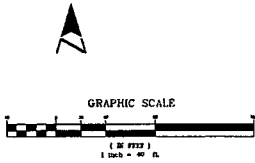
PLAT OF SUBDIVISION

FINAL PLAT OF
OAKTON SHOPPES OF EVANSTON RESUBDIVISION

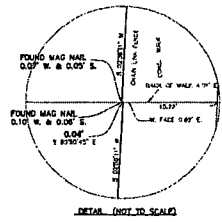
BEING IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P. L. No. 10-25-100-034
 10-25-100-034
 10-25-100-034
 10-25-100-034

TOTAL AREA
 308,814.00 sq. ft.
 7.09 acres



NOTE: LOT 6 HAS BEEN INTENTIONALLY OMITTED FROM THIS PLAT



GENTILE & ASSOCIATES, INC.
 PROFESSIONAL LAND SURVEYORS
 500 E. ST. CHARLES PLACE
 CHICAGO, ILLINOIS 60610
 PHONE (773) 318-3292
 FAX (773) 318-3294
 PROVIDED FOR LEE ERY COMPANIES
 ORDER NO. 04-18928-08RESUB-REV 3
 SHEET 2 OF 3
 DRAWN BY: MAM

NO.	DATE	DESCRIPTION	BY
1	12/14/88	PREPARE AND VERIFY DEEDS AND RECORDS	MAM
2	12/14/88	PREPARE AND VERIFY DEEDS AND RECORDS	MAM
3	12/14/88	PREPARE AND VERIFY DEEDS AND RECORDS	MAM
4	12/14/88	PREPARE AND VERIFY DEEDS AND RECORDS	MAM
5	12/14/88	PREPARE AND VERIFY DEEDS AND RECORDS	MAM

OAKTON SHOPPES OF EVANSTON RESUBDIVISION

BEING IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P. L. N. 10-25-100-024

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)

I, FINANCE DIRECTOR OF THE CITY OF EVANSTON, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO UNPAID FINANCE DIRECTOR OF THE CITY OF EVANSTON, ILLINOIS, AGREEMENTS, OR ANY OUTSTANDING INSTALLMENTS THEREON, THAT HAVE BEEN AMORTIZED AGAINST THE TRACT OF LAND INDICATED IN THIS PLAT OF RESUBDIVISION.

DATED THIS _____ DAY OF _____ A.D. 20_____

FINANCE DIRECTOR, EVANSTON, ILLINOIS

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)

APPROVED THIS _____ DAY OF _____ A.D. 20_____

CITY CLERK, EVANSTON, ILLINOIS

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)

APPROVED THIS _____ DAY OF _____ A.D. 20_____

ZONING ENFORCEMENT OFFICER, EVANSTON, ILLINOIS

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)

APPROVED THIS _____ DAY OF _____ A.D. 20_____

CHIEF OF PUBLIC WORKS, EVANSTON, ILLINOIS

STATE OF ILLINOIS) S.S.
COUNTY OF _____)

ADDRESS BANK, N.A., AS HOLDER OF CERTAIN MORTGAGES ON THE ABOVE DESCRIBED PROPERTY, HEREBY CONSENTS TO THE RECORDING AND RECORDED OF THIS PLAT OF RESUBDIVISION.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL OF OFFICE AT CHICAGO, ILLINOIS, THIS _____ DAY OF _____ A.D. 20_____

STATE OF ILLINOIS) S.S.
COUNTY OF _____)

I, _____ A NOTARY PUBLIC IN AND FOR SAID COUNTY IN AND FOR SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT I AM PERSONALLY KNOWN TO BE THE LAND PERSONS WHOSE NAMES ARE MENTIONED TO THE FOREGOING INSTRUMENT, APPLIED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE FOREGOING INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF ANYONE DANY, N.A., FOR THE USES AND PURPOSES THEREIN SET FORTH AND HEREBY ACKNOWLEDGE AND ACCEPT THE SAME UNDER THE STYLE AND TITLE THEREIN SHOWN.

GIVEN UNDER MY HAND AND NOTARIAL SEAL AT CHICAGO, ILLINOIS, THIS _____ DAY OF _____ A.D. 20_____

NOTARY PUBLIC

INGRESS AND EGRESS EASEMENT PROVISION

AN ACCESS EASEMENT FOR WALKWAY AND EGRESS ACROSS ALL LOTS IN THIS RESUBDIVISION IS HEREBY RESERVED AND GRANTED TO THE OWNERS OF SAID LOTS AND THEIR RESPECTIVE LICENSEES, SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY, FOR THE PEDESTAL WALK, DRIVEWAY AND ALTERNITY TO PROVIDE PEDESTAL ACCESS TO AREAS MARKED "INGRESS AND EGRESS EASEMENT" ON THIS PLAT. DISTRIBUTION SHALL NOT BE PLACED OVER GRANTEE'S EASEMENT WITHOUT THE WRITTEN CONSENT OF THE GRANTEE.

STORMWATER DETENTION EASEMENT PROVISIONS

ALL EASEMENTS INDICATED AS STORMWATER DETENTION EASEMENTS ON THIS PLAT ARE RESERVED FOR AND GRANTED TO THE CITY OF EVANSTON FOR THE BENEFIT OF THE PUBLIC. NO PERMANENT BUILDINGS OR OTHER OBSTRUCTIVE SHALL BE PLACED ON SAID EASEMENT BUT THE SAME MAY BE USED FOR PURPOSES THAT DO NOT ADVERSELY AFFECT THE SEVERAGE OR FREE FLOW OF STORMWATER AND THE OPERATIONS OF THE STORMWATER MANAGEMENT SYSTEM. THE OWNER SHALL BE RESPONSIBLE FOR MAINTAINING THE STORMWATER DETENTION EASEMENT APPLICABLE TO HIS LOT AND SHALL NOT MOVED, GRADES, SLOPES, OR STORMWATER MANAGEMENT FACILITIES WITHOUT FIRST RECEIVING WRITTEN APPROVAL OF THE CITY OF EVANSTON. IN THE EVENT THE OWNER FAILS TO PROPERLY MAINTAIN THE STORMWATER DETENTION AREA EASEMENT, THE CITY OF EVANSTON AND ANY OTHER UNIT OF GOVERNMENT HAVING JURISDICTION OVER DRAINAGE ON THE SUBJECT PROPERTY AND ANY OTHER OF RECORD OF THE REAL ESTATE (OR PART THEREOF) SHALL, UPON TEN (10) DAYS PRIOR WRITTEN NOTICE, HAVE THE RIGHT TO REPAIR OR HAVE PERFORMED ON ITS OWN BEHALF, ANY MAINTENANCE WORK TO OR UPON THE STORMWATER DETENTION AREA EASEMENT, THE EXPENSE THEREOF, INCLUDING ANY ADMINISTRATIVE COSTS, SHALL UPON RECEIPT OF A NOTICE OF WORK WITHIN SEVEN (7) DAYS OF COMPLETION OF THE WORK, CONTRIBUTE A LUMP SUM AGAINST THE LOT WHICH MAY BE FOLLOWS BY ANY ACTION BROUGHT BY OR ON BEHALF OF THE CITY OF EVANSTON AND/OR OTHER UNIT OF GOVERNMENT HAVING JURISDICTION OVER DRAINAGE ON THE SUBJECT PROPERTY AND/OR ANY OTHER OF RECORD OF THE REAL ESTATE (OR PART THEREOF).

GENTILE & ASSOCIATES, INC. PROFESSIONAL LAND SURVEYORS AND TITLE CURATORS. 1000 N. LAUREL STREET, SUITE 100, CHICAGO, ILLINOIS 60610. PHONE (312) 915-1200. FAX (312) 915-1201. PREPARED FOR LEE REY COMPANY. ORDER IN: 04-1828-00000-REV 3. SHEET 1 OF 2.

Table with 4 columns: NO., DATE, CERTIFICATION, BY. Row 1: 1, 04/18/28, PROFESSIONAL LAND SURVEYOR, LEE REY COMPANY.

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)

BY THE COUNCIL OF THE CITY OF EVANSTON, ILLINOIS, AT A MEETING HELD ON THE _____ DAY OF _____ A.D. 20_____ IN WITNESS WHEREOF, I SET MY HAND AND ALSO THE CORPORATE SEAL OF SAID CITY, THIS _____ DAY OF _____ A.D. 20_____

CORPORATION COUNSELLOR, EVANSTON, ILLINOIS

STATE OF ILLINOIS) S.S.
COUNTY OF _____)

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS/ARE THE OWNER(S) OF THE LAND DESCRIBED IN THE ATTACHED PLAT AND HAS CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN BY THE PLAT FOR USES AND PURPOSES AS INDICATED THEREIN, AND DOES HEREBY ACKNOWLEDGE AND ACCEPT THE SAME UNDER THE STYLE AND TITLE THEREIN INDICATED.

DATED AT _____ ILLINOIS, THIS _____ DAY OF _____ A.D. 20_____

OWNER

STATE OF ILLINOIS) S.S.
COUNTY OF _____)

I, _____ A NOTARY PUBLIC IN AND FOR SAID COUNTY DO HEREBY CERTIFY THAT I AM PERSONALLY KNOWN TO BE THE SAME PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE FOREGOING CERTIFICATE AS SUCH APPEARER BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/SHE/IT/HEY SIGNED AND DELIVERED THE SAID INSTRUMENT AT HIS/HER/THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____ A.D. 20_____

NOTARY PUBLIC

COMMISSION EXPIRES

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)

APPROVED THIS _____ DAY OF _____ A.D. 20_____

COUNTY CLERK, CHICAGO, ILLINOIS

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)

BEFORE ME IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL OF OFFICE AT CHICAGO, ILLINOIS, THIS _____ DAY OF _____ A.D. 20_____

ILLINOIS PROFESSIONAL LAND SURVEYOR. I, _____ DO HEREBY CERTIFY THAT I AM PERSONALLY KNOWN TO BE THE LAND PERSONS WHOSE NAMES ARE MENTIONED TO THE FOREGOING INSTRUMENT, APPLIED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE FOREGOING INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL AT CHICAGO, ILLINOIS, THIS _____ DAY OF _____ A.D. 20_____

ILLINOIS PROFESSIONAL LAND SURVEYOR. I, _____ DO HEREBY CERTIFY THAT I AM PERSONALLY KNOWN TO BE THE LAND PERSONS WHOSE NAMES ARE MENTIONED TO THE FOREGOING INSTRUMENT, APPLIED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE FOREGOING INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____ A.D. 20_____

ILLINOIS PROFESSIONAL LAND SURVEYOR. I, _____ DO HEREBY CERTIFY THAT I AM PERSONALLY KNOWN TO BE THE LAND PERSONS WHOSE NAMES ARE MENTIONED TO THE FOREGOING INSTRUMENT, APPLIED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE FOREGOING INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

STATE OF ILLINOIS) S.S.
COUNTY OF _____)

I, _____ A NOTARY PUBLIC, IN AND FOR SAID COUNTY DO HEREBY CERTIFY THAT I AM PERSONALLY KNOWN TO BE THE SAME PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE FOREGOING CERTIFICATE AS SUCH APPEARER BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/SHE/IT/HEY SIGNED AND DELIVERED THE SAID INSTRUMENT AT HIS/HER/THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____ A.D. 20_____

NOTARY PUBLIC

COMMISSION EXPIRES

EXHIBIT D

DEVELOPMENT PLAN

