

**CITY OF ST. CHARLES**  
TWO EAST MAIN STREET  
ST. CHARLES, ILLINOIS 60174-1984



COMMUNITY DEVELOPMENT/PLANNING DIVISION

PHONE: (630) 377-4443 FAX: (630) 377-4062

**SPECIAL USE APPLICATION**

Received Date  
**RECEIVED**  
**FEB - 1 2021**  
City of St. Charles  
Community Development

<b>CITYVIEW</b>	
Project Name:	<u>Zen Leaf</u>
Project Number:	<u>2019-PR-023</u>
Application Number:	<u>PLSU202100004</u>

*To request a Special Use for a property, or to request to amend an existing Special Use Ordinance for a property, complete this application and submit it with all required attachments to the Planning Division.*

*City staff will review submittals for completeness and for compliance with applicable requirements prior to establishing a public hearing date for an application.*

*The information you provide must be complete and accurate. If you have a question please call the Planning Division and we will be happy to assist you.*

<b>1. Property Information:</b>	Parcel Number (s): 09-25-327-004	
	Street Address (or common location if no address is assigned): 3691 E Main St, St Charles, IL 60174	
<b>2. Applicant Information:</b>	Name Healthway Services of West Illinois, LLC	Phone (312) 819-4859
	Address 415 N. DearbornSt., 4th Floor, Chicago, IL 60654	Fax
		Email chris@verano.holdings
<b>3. Record Owner Information:</b>	Name St. Charles Holding Corp.	Phone
	Address 23 The Moor, East Islip, New York 11730	Fax
		Email
<b>4. Billing:</b> <i>To whom should costs for this application be billed?</i>	Name Healthway Services of West Illinois, LLC	Phone (312) 819-4859
	Address 415 N. DearbornSt., 4th Floor, Chicago, IL 60654	Fax
		Email chris@verano.holdings

**Information Regarding Proposed Special Use:**

Comprehensive Plan designation of the property: Corridor/Regional Commercial

Is the property a designated Landmark or in a Historic District? No

What is the property's current zoning? BR - Regional Business

What is the property currently used for? Vacant Retail Sales

What Special Use(s) are you applying for? Please select from the list of Special Uses in the Zoning Ordinance for the appropriate zoning district.

Recreational Cannabis Dispensing Organization

If the proposed Special Use is approved, what improvements or construction are planned?

The proposes special use can be accomodated within the existing building with only minor interior renovations.

**For Special Use Amendments only:**

What Special Use ordinance do you want to amend? Ordinance No. N/A

Why is the proposed change necessary?

N/A

What are the proposed amendments? (Attach proposed language if necessary)

N/A

**Note for existing buildings:**

If your project involves using an existing building, whether you plan to alter it or not, please contact the St. Charles Fire Department (630-377-4458) and the Building and Code Enforcement Division (630-377-4406) for information on building, life safety and other code requirements. Depending on the proposed use, size of structure and type of construction, these requirements can result in substantial costs.

***Attachment Checklist***

- APPLICATION:** Completed application form signed by the applicant
- APPLICATION FEE:** Application fee in accordance with Appendix B of the Zoning Ordinance.
- REIMBURSEMENT OF FEES AGREEMENT:** An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.
- PROOF OF OWNERSHIP and DISCLOSURE:**
  - a) A current title policy report; or
  - b) A deed and a current title search.

If the owner is not the applicant, an original letter of authorization from the owner permitting the applicant to act on his/her behalf is required. If the owner or applicant is a Trust, a disclosure of all beneficiaries; if the owner or applicant is a Partnership, a disclosure of all partners; if the owner or applicant is a Corporation, a disclosure of all owners with an interest of at least ten percent (10%).

❑ **LEGAL DESCRIPTION:** For entire subject property, on 8 1/2 x 11 inch paper

❑ **PLAT OF SURVEY:**

A current plat of survey for the Subject Realty showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.

❑ **SOIL AND WATER CONSERVATION DISTRICT APPLICATION:**

Copy of completed Land Use Opinion application as required by state law, as submitted to The Kane-Dupage Soil and Water Conservation District. <http://www.kanedupageswcd.org/>

❑ **ENDANGERED SPECIES REPORT:**

Copy of Endangered Species Consultation Agency Action to be filed with the Illinois Department of Natural Resources. <http://dnrecocat.state.il.us/ecopublic/>

❑ **TRAFFIC STUDY:** If requested by the Director of Community Development.

❑ **PLANS:**

All required plans shall be drawn on sheets no larger than 24" x 36", unless the Director of Community Development permits a larger size when necessary to show a more comprehensive view of the project. All required plans shall show north arrow and scale, and shall be drawn at the same scale (except that a different scale may be used to show details or specific features). All plans shall include the name of the project, developer or owner of site, person or firm preparing the plan, and the date of plan preparation and all revisions.

**Copies of Plans:**

- Initial Submittal - Fifteen (15) full size copies, Three (3) 11" by 17", and a PDF electronic file on a CD-ROM.
- Revision Submittal for Plan Commission - Twenty-Two (22) full size copies, Three (3) 11" by 17" and a PDF electronic file on a CD-ROM.

❑ **SITE PLAN (Note: For a Special Use for PUD, submit PUD Preliminary Plan Application in lieu of Site Plan)**

A plan or plans showing the following information:

1. Accurate boundary lines with dimensions
2. Streets on and adjacent to the tract: Name and right-of-way width
3. Location, size, shape, height, and use of existing and proposed structures
4. Location and description of streets, sidewalks, and fences
5. Surrounding land uses
6. Date, north point, and scale
7. Ground elevation contour lines
8. Building/use setback lines
9. Location of any significant natural features
10. Location of any 100-year recurrence interval floodplain and floodway boundaries
11. Location and classification of wetland areas as delineated in the National Wetlands Inventory
12. Existing zoning classification of property
13. Existing and proposed land use
14. Area of property in square feet and acres
15. Proposed off-street parking and loading areas
16. Number of parking spaces provided, and number required by ordinance

- 17. Angle of parking spaces
- 18. Parking space dimensions and aisle widths
- 19. Driveway radii at the street curb line
- 20. Width of driveways at sidewalk and street curb line
- 21. Provision of handicapped parking spaces
- 22. Dimensions of handicapped parking spaces
- 23. Depressed ramps available to handicapped parking spaces
- 24. Location, dimensions and elevations of freestanding signs
- 25. Location and elevations of trash enclosures
- 26. Provision for required screening, if applicable
- 27. Exterior lighting plans showing:
  - a. Location, height, intensity and fixture type of all proposed exterior lighting
  - b. Photometric information pertaining to locations of proposed lighting fixtures

**I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.**

\_\_\_\_\_  
Record Owner

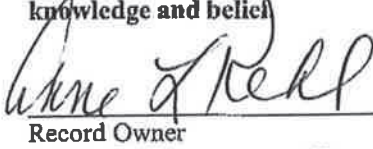
\_\_\_\_\_  
Date

  
Applicant or Authorized Agent

1/20/2021  
Date

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I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief



Record Owner

1/20/2021  
Date



Applicant or Authorized Agent

1/20/2021  
Date

# FINDINGS OF FACT SHEET – SPECIAL USE



*The St. Charles Zoning Ordinance requires the Plan Commission to consider the factors listed below in making a recommendation to the City Council.*

*As the applicant, the “burden of proof” is on you to show how your proposed Special Use will comply with each of the applicable standards. Therefore, you need to “make your case” by explaining specifically how your project meets each of the following standards.*

3691 E Main St 1/27/21  
\_\_\_\_\_  
*Project Name or Address* *Date*

**From the Charles Zoning Ordinance, Section 17.04.430.C.2:**

No Special Use or amendment to Special Use shall be recommended by the Plan Commission unless it finds that the proposed Special Use or amendment to Special Use will conform with each of these standards. The Plan Commission shall submit its written findings together with its recommendations to the City Council after the conclusion of the Public Hearing, and also may recommend such conditions as it may deem necessary to ensure conformance with these standards.

On the basis of the evidence presented at the public hearing, the Plan Commission shall record its reasons for recommending approval or denial of the petition (findings of fact) in accordance with the following standards:

**A. Public Convenience: The Special Use will serve the public convenience at the proposed location.**

See attached extended answers.

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**B. Sufficient Infrastructure: That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided.**

See attached extended answers.

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**C. Effect on Nearby Property: That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.**

## FINDINGS OF FACT - SPECIAL USE

From the St. Charles Zoning Ordinance, Section 17.04.330.C:

No special use or amendment to special use shall be recommended by the Plan Commission unless it finds that the proposed special use or amendment to special use will conform to each of these standards. The Plan Commission shall submit its written findings together with its recommendations to the City Council after the conclusion of the Public Hearing, and also may recommend such conditions as it may deem necessary to ensure conformance with these standards.

On the basis of the evidence presented at the public hearing, the Plan Commission shall record its reasons for recommending approval or denial of the petition (findings of fact) in accordance with the following standards: (The below findings of fact were made in reliance on the professional opinions of Urban Planners from WBK Engineering. This includes Adam Rak, who's CV is attached hereto).

### **A. Public Convenience: The special use will serve the public convenience at the proposed location.**

A Recreational Cannabis Dispensing Organization will serve the public convenience at the proposed location (3691 E. Main Street) in the following ways:

1. *The proposed special use would provide critical tax revenue dollars to utilize towards its capital expenditures.* The proposed Recreational Cannabis Dispensing Organization would continue to provide substantial tax revenues critical to filling existing budget deficits which have been compounded by COVID-19 and its impact to consumers at traditional brick & mortar retailers.
2. *The proposed special use will revitalize a dormant, vacant retail space with a new use.* The proposed Recreational Cannabis Dispensing Organization will inhabit a space which has been vacant. Both exterior façade improvements and floor plan improvements are planned for the existing facility which will help activate a key corner in the Main Street Commons Shopping Center with a new a retail use, to replace the existing Recreational Cannabis Dispensing Organization currently operated by the Applicant, in a nearby district.
3. *The existing road network, as it is configured, provides safe and convenient access to the property.* Access to the property occurs directly off IL Route 64 (E. Main Street), a primary arterial road with a six-lane cross section at an existing four-way signalized intersection. A shared driveway off the primary commercial collector provides direct access to a parking lot, designated solely for use by the proposed Recreational Cannabis Dispensing Organization. The proposed development is expected to have minimal impact on the existing traffic operations of the area roadway network.
4. *The proposed building offers greater commercial floor space.* The proposed Recreational Cannabis Dispensing Organization will occupy an existing, 6,153 sq. ft. building compared to the existing facility which is 3,768 sq. ft. The proposed building will allow more space for product inventory and safe space, a larger order fulfillment area, and a more generous retail sales floor which ultimately will accommodate more comfortably, the larger crowds that typically visit the businesses on specific peak business days.
5. *Adequate parking for the proposed Recreational Cannabis Dispensing Organization will be provided in a parking lot designated solely for use by the Applicant.* The City's parking standards require a minimum of four (4) parking spaces for every 1,000 sq. ft. of Gross Floor Area (GFA). The proposed Recreational Cannabis Dispensing

Organization is approximately 6,153 sq. ft. in GFA. The minimum required number of parking spaces per the ordinance is 25 parking spaces. The existing parking as configured, provides a total of 38 parking spaces (35 standard and three (3) accessible spaces) designated solely to the proposed use. Employees will be encouraged to park in spaces furthest from the entrance to reserve those spaces closest to the entrance for customers.

**B. Sufficient Infrastructure: That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided.**

1. *The existing road network, as it is configured, provides safe and convenient access to the property.* Access to the property occurs directly off IL Route 64, a primary arterial road with a six-lane cross section at an existing four-way signalized intersection. A shared driveway off the primary commercial collector provides direct access to a parking lot, designated solely for use by the proposed Recreational Cannabis Dispensing Organization. The proposed development is expected to have minimal impact on the existing traffic operations of the area roadway network.
2. *There are no known drainage issues at the site.* The proposed Recreational Cannabis Dispensing Operation is planned for a site already improved and formerly occupied by a traditional retail sales business. The proposed Recreational Cannabis Dispensing Operation can be accommodated with no additional changes to the design or layout of the site. Therefore, there will be no change to existing grades or increases to impervious surface area which would modify or increase stormwater runoff.
3. *Adequate parking for the proposed Recreational Cannabis Dispensing Organization will be provided in a parking lot designated solely for use by the Applicant.* The City's parking standards require a minimum of four (4) parking spaces for every 1,000 sq. ft. of Gross Floor Area (GFA). The proposed Recreational Cannabis Dispensing Organization is approximately 6,153 sq. ft. in GFA. The minimum required number of parking spaces per the ordinance is 25 parking spaces. The existing parking as configured, provides a total of 38 parking spaces (35 standard and three (3) accessible spaces) designated solely to the proposed use. Employees will be encouraged to park in spaces furthest from the entrance to reserve those spaces closest to the entrance for customers.
4. *The site provides adequate access to all utility providers and first responders.* Primary access to the property occurs via a shared driveway off a commercial collector which forms a signalized four-way intersection with IL Route 64. The driveway provides both ingress and egress to the subject property and adjacent commercial strip center to the south. Existing and adjacent parking areas provide 360° access to the building for utility providers, emergency services, and first responders.
5. *The building/site is connected to City of St. Charles sanitary and water services.*

**C. Effect on Nearby Property: That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.**

The proposed Recreational Cannabis Dispensing Organization will be situated within a large-scale development of compatible land uses with shared access, a connected network of vehicular circulation, shared stormwater management and common area landscaping. The property is zoned to allow these retail uses and historically has operated as such. The Applicant has operated a Medical Cannabis Dispensing Organization at 3714 E. Illinois, without issues, for years. In 2020, the Applicant received a special use to allow co-location of its Recreational Cannabis Dispensing Organization at its current location and has continued to operate responsibly with respect to its neighbors



and residents of the City of St. Charles. As such, the Applicant proposes to relocate its existing facilities, in accordance with interpretation by the Illinois Department of Professional and Financial Regulation (IDFPR), as the proposed location is better suited for its business operations.

The City requires a minimum 250-foot separation distances from sensitive uses including pre-existing School, Primary or Secondary, School, Private Boarding, Day Care Center, Day Care Home, or other residential zoning parcels. The proposed special use meets these distance requirements.

In addition, the proposed Recreational Cannabis Dispensing Organization will continue to strictly enforce rules banning on-site consumption. The proposed special use will also continue to comply with all other local and State regulations. These measures and other zoning and use standards, including parking requirements, are in place to ensure that no impacts to the use and enjoyment of other properties, or affect or impairment on property values within the development occur. Introduction of a new retailer with a unique product to the Main Street Commons Shopping Center could result in enhanced property values due to the attraction of new customers to the area and potential consumers of goods and services for other properties within the shopping center.

**D. Effect on Development of Surrounding Property: That the establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.**

The proposed special use is located on a site that is already developed and where comparable retail uses are in operation on surrounding properties. The proposed Recreational Cannabis Dispensing Organization will reuse an existing, vacant retail building. Granting a special use to allow sales of adult-use cannabis products will not materially change the use of the property for which it has historically been utilized. The City has adopted proposed use standards for Recreational Cannabis Dispensing Organizations and the proposed special use complies with each of the standards. Through compatibility with surrounding retail uses and compliance with adopted zoning ordinance use standards, the proposed special use will not impede the normal and orderly development or improvement of the surrounding property for uses permitted in the district.

**E. Effect on General Welfare: That the establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort, or general welfare.**

The Applicant has operated a Medical Cannabis Dispensing Organization at 3714 Illinois Avenue since 2015. At that time, Chief of Police stated, in reference to the Medical Cannabis Dispensing Organization “has had minimal impact on police operations in the City of St. Charles.” In 2020, the Applicant received special use approval to co-locate a Recreational Cannabis Dispensing Organization and has continued to operate without issue, allowing police resources to focus on serving the public and protecting its health, safety, comfort, and general welfare.

The current proposed application for special use allows the existing Medical and Recreational Cannabis Dispensing Organizations to relocate to a more optimal commercial space along IL Route 64 (E. Main Street) as allowed by IDFPR. Safe access to the property is provided via a four-way, signalized intersection at IL Route 64, with a shared driveway off a commercial collector road which provides access and circulation to the larger retail complex. Furthermore, the continued application of a sales tax to recreational cannabis sales will maintain the City’s tax revenue, maintaining the funds that can be allocated towards social and capital programs that improve the general welfare of the public.

Compliance with all local and state laws will be met and strict enforcement banning on-site consumption rules will be enforced. Moreover, the State of Illinois has adopted the most stringent licensing requirements in the United States related to adult-use cannabis sales. The proposed special use, by requiring that the Applicant maintain State of Illinois license, will uphold these exacting standards, and will ensure full cooperation with the City and its resources so as to not endanger the public health, safety, comfort or general welfare of those in the community.

**F. Conformance with Codes: That the proposed Special Use conforms to all applicable provisions of the St. Charles Municipal Code and meets or exceeds all applicable provisions of this Title, except as may be varied pursuant to a Special Use for Planned Unit Development.**

The Applicant currently operates a Medical and Recreational Cannabis Dispensing Organization in a nearby district. The proposed special use would facilitate relocation of the existing facility to a more suited commercial location along IL Route 64 (E. Main Street) as allowed by IDFPR. As such, the proposed special use will conform to all applicable provisions of the St. Charles Municipal Code and meet or exceed all applicable provisions of this title, except as may be varied pursuant to a Special Use for Planned Development.



**AMERICAN LAND TITLE ASSOCIATION  
Commitment For Title Insurance**

**NOTICE**

**IMPORTANT-READ CAREFULLY:** THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

**COMMITMENT TO ISSUE POLICY**

Subject to the Notice; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and the Commitment Conditions, WESTCOR LAND TITLE INSURANCE COMPANY, a California Corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I-Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

IN WITNESS WHEREOF, **WESTCOR LAND TITLE INSURANCE COMPANY** has caused its corporate name and seal to be hereunto affixed and by these presents to be signed in facsimile under authority of its by-laws, effective as of the date of Commitment shown in Schedule A.

File Number: **51003389**

Issued by:  
**Greater Illinois Title Company**  
300 E. Roosevelt Rd.  
Suite 200  
Wheaton, IL 60187  
Phone: 630-462-7800  
Fax: 630-462-7821

A handwritten signature in black ink, appearing to read 'R. B. B...', is written over a horizontal line.

Authorized Signatory

**WESTCOR LAND TITLE INSURANCE COMPANY**  
875 Concourse Parkway South Suite 200  
Maitland, FL 32751



By: Mary O'Donnell  
President

Attest: Patricia H. Power  
Secretary

## COMMITMENT CONDITIONS

### 1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I-Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I-Requirements;
- (f) Schedule B, Part II-Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

### 4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

### 5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
  - (i) comply with the Schedule B, Part I-Requirements;
  - (ii) eliminate, with the Company's written consent, any Schedule B, Part II-Exceptions; or
  - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I- Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

## **6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT**

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II-Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

## **7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT**

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

## **8. PRO-FORMA POLICY**

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

## **9. ARBITRATION**

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>



A Policy Issuing Agent of Westcor Land Title Insurance Company

ALTA Commitment - Schedule A

File Number: **51003389**

Issued by: **Greater Illinois Title Company**

Address Reference: **3691 East Main Street  
Saint Charles, IL**

**300 E. Roosevelt Rd.  
Suite 200  
Wheaton, IL 60187  
Phone: 630-462-7800  
Fax: 630-462-7821**

1. **Commitment Date:** December 14, 2020

2. **Policy (or Policies) to be issued:**

**Policy Amount**

2006 ALTA LOAN POLICY

Proposed Insured:

\$10,000.00

3. **The estate or interest in the Land described or referred to in this Commitment is Fee Simple.**

4. **Title to the estate or interest in the Land is at the Commitment Date vested in:**

ST. CHARLES HOLDING CORP., A NEW YORK CORPORATION

5. **The Land is described as follows:**

SEE ATTACHED EXHIBIT "A"

*This page is only a part of a 2016 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions.*

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File Number: **51003389**

**EXHIBIT "A"**

PARCEL 1: LOT 4 IN MAIN STREET COMMONS PLANNED UNIT DEVELOPMENT, BEING A RESUBDIVISION OF PART OF LOTS 4, 5, 6 AND 17 OF UNIT NO. 1 OF THE ST. CHARLES ILLINOIS INDUSTRIAL DEVELOPMENT OF THE CENTRAL MANUFACTURING DISTRICT IN SECTIONS 25 AND 36, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 13, 2000 AS DOCUMENT NUMBER [2000K046916](#), IN KANE COUNTY, ILLINOIS.

PARCEL 2: EASEMENTS FOR THE BENEFIT OF PARCEL ONE CREATED BY THE INSTRUMENTS RECORDED JULY 26, 2000 DOCUMENT [2000K058745](#) AND RECORDED AUGUST 3, 2000 DOCUMENT [2000K061696](#) AND RECORDED JANUARY 4 2002 AS DOCUMENT [2002K001839](#).

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File Number: **51003389**

Commitment Date: **December 14, 2020**

Issued by: **Greater Illinois Title Company**

**300 E. Roosevelt Rd.**

**Suite 200**

**Wheaton, IL 60187**

**Phone: 630-462-7800**

**Fax: 630-462-7821**

## SCHEDULE B - PART I

### Requirements

All of the following Requirements must be met:

- A) THE PROPOSED INSURED MUST NOTIFY THE COMPANY IN WRITING OF THE NAME OF ANY PARTY NOT REFERRED TO IN THIS COMMITMENT WHO WILL OBTAIN AN INTEREST IN THE LAND OR WHO WILL MAKE A LOAN ON THE LAND. THE COMPANY MAY THEN MAKE ADDITIONAL REQUIREMENTS OR EXCEPTIONS.
- B) PAY THE AGREED AMOUNT FOR THE ESTATE OR INTEREST TO BE INSURED.
- C) PAY THE PREMIUMS, FEES, AND CHARGES FOR THE POLICY TO THE COMPANY.
- D) DOCUMENTS SATISFACTORY TO THE COMPANY THAT CONVEY THE TITLE OR CREATE THE MORTGAGE TO BE INSURED, OR BOTH, MUST BE PROPERLY AUTHORIZED, EXECUTED, DELIVERED, AND RECORDED IN THE PUBLIC RECORDS.
- E) FOR EACH POLICY TO BE ISSUED AS IDENTIFIED IN SCHEDULE A, ITEM 2, THE COMPANY SHALL NOT BE LIABLE UNDER THIS COMMITMENT UNTIL IT RECEIVES A DESIGNATION FOR A PROPOSED INSURED, ACCEPTABLE TO THE COMPANY. AS PROVIDED IN COMMITMENT CONDITION 4, THE COMPANY MAY AMEND THIS COMMITMENT TO ADD, AMONG OTHER THINGS, ADDITIONAL EXCEPTIONS OR REQUIREMENTS AFTER THE DESIGNATION OF THE PROPOSED INSURED
- F) THE PROPOSED POLICY AMOUNT(S) MUST BE DISCLOSED TO THE COMPANY, AND SUBJECT TO APPROVAL BY THE COMPANY, ENTERED AS THE PROPOSED POLICY AMOUNT. AN OWNER'S POLICY SHOULD REFLECT THE PURCHASE PRICE OR FULL VALUE OF THE LAND. A LOAN POLICY SHOULD REFLECT THE LOAN AMOUNT OR VALUE OF THE PROPERTY AS COLLATERAL. PROPOSED POLICY AMOUNT(S) WILL BE REVISED AND PREMIUMS CHARGED CONSISTENT THEREWITH WHEN THE FINAL AMOUNTS ARE APPROVED.
- G) PAY ALL TAXES, CHARGES AND ASSESSMENTS AFFECTING THE LAND THAT ARE DUE AND PAYABLE, INCLUDING THOSE SOLD, FORFEITED OR UNPAID FROM PRIOR YEARS AS SET FORTH IN SCHEDULE B - PART II.
- H) AS TO ANY MORTGAGES, LIENS OR RELATED DOCUMENTS SET FORTH IN THIS SCHEDULE B - PARTS I OR II, WE MUST BE FURNISHED SATISFACTIONS OR RELEASES THEREOF, OR SUFFICIENT DOCUMENTATION AND FUNDS TO SATISFY SAID MATTERS.
- I) PLEASE BE ADVISED THAT OUR SEARCH DID NOT DISCLOSE ANY OPEN MORTGAGES OF RECORD. IF YOU SHOULD HAVE KNOWLEDGE OF ANY OUTSTANDING OBLIGATION(S), PLEASE CONTACT OUR OFFICES IMMEDIATELY.
- J) THIS COMMITMENT SHOULD NOT BE CONSTRUED AS PROVIDING ANY OWNER'S TITLE INSURANCE COVERAGE TO THE PURCHASER(S) OF THE SUBJECT LAND. UPON REQUEST, THIS COMPANY CAN PROVIDE OWNER'S TITLE INSURANCE COVERAGE TO THE PURCHASER(S) FOR AN ADDITIONAL FEE.

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File Number: **51003389**

Effective Date: **December 14, 2020**

- K) UPON CONVEYANCE OF THE SUBJECT LAND, A CERTIFIED COPY OF THE PROPER RESOLUTIONS PASSED BY THE STOCKHOLDERS AND/OR THE DIRECTORS OF THE PARTY IN TITLE AUTHORIZING THE EXECUTION OF THE DEED OF CONVEYANCE SHOULD BE FURNISHED.
- L) WE MUST BE FURNISHED A CERTIFIED COPY OF THE ARTICLES OF INCORPORATION OF ST. CHARLES HOLDING CORP., TOGETHER WITH A LETTER OF GOOD STANDING FROM THE SECRETARY OF STATE'S OFFICE. IF SAID DOCUMENTATION CANNOT BE PRODUCED, WE MUST BE CONTACTED AND THIS COMMITMENT MAY BE SUBJECT TO SUCH FURTHER EXCEPTIONS WE MAY THEN DEEM NECESSARY.
- M) EXISTING UNRECORDED LEASES, IF ANY.
- N) WE MUST BE FURNISHED A STATEMENT THAT THERE IS NO PROPERTY MANAGER EMPLOYED TO MANAGE THE LAND, OR IN THE ALTERNATIVE, A FINAL LIEN WAIVER FROM ANY PROPERTY MANAGER EMPLOYED ON BEHALF OF THE OWNER.
- O) IN THE EVENT WE ARE REQUESTED TO ISSUE EXTENDED COVERAGE, WE NOTE THE FOLLOWING AND REQUIRE:  
AN 'ALTA SURVEY';  
AN 'ALTA STATEMENT';  
WE MUST BE FURNISHED THE 'ALTA SURVEY' AT LEAST 72 HOURS PRIOR TO CLOSING AND THIS COMMITMENT MAY BE SUBJECT TO FURTHER EXCEPTIONS AND REQUIREMENTS WE MAY THEN DEEM NECESSARY.  
WE HAVE NOT PRE-BILLED OUR EXTENDED COVERAGE PREMIUM, OUR ESCROW DEPARTMENT MUST BE CONTACTED FOR A QUOTE.
- P) IN THE EVENT WE ARE REQUESTED TO ISSUE OUR 3.1 ZONING ENDORSEMENT, WE NOTE THE FOLLOWING AND REQUIRE:  
AN AFFIRMATIVE STATEMENT AS TO USAGE, SAID STATEMENT MUST CONTAIN THE LANGUAGE THAT SAID USAGE IS NOT IN VIOLATION OF EXISTING ZONING ORDINANCES.  
AN 'ALTA' SURVEY SHOWING MINIMALLY:  
AREA, WIDTH AND DEPTH OF THE LAND AS A BUILDING SITE FOR SAID STRUCTURE. 2. FLOOR SPACE AREA OF SAID STRUCTURE. 3. SETBACK OF SAID STRUCTURE FROM PROPERTY LINES OF THE LAND. 4. HEIGHT OF SAID STRUCTURE. 5. PARKING SPACES MARKED (IF PARKING IS DESIRED).  
WE MUST BE FURNISHED THE AFORESAID INFORMATION AT LEAST 72 HOURS PRIOR TO CLOSING AND THIS COMMITMENT MAY BE SUBJECT TO FURTHER EXCEPTIONS AND REQUIREMENTS WE MAY THEN DEEM NECESSARY.
- Q) IN THE EVENT WE ARE REQUESTED TO ISSUE ANY SPECIAL ENDORSEMENTS OTHER THAN THOSE DISCLOSED IN SCHEDULE B, WE MUST BE CONTACTED AT LEAST 72 HOURS PRIOR TO CLOSING FOR OUR REQUIREMENTS.
- R) NOTE: THE LAND LIES WITHIN COOK, KANE, WILL OR PEORIA COUNTY, ILLINOIS, ALL OF WHICH ARE SUBJECT TO THE PREDATORY LENDING DATABASE PROGRAM ACT (765 ILCS 77/70 ET SEQ.) (THE ACT). A CERTIFICATE OF COMPLIANCE WITH THE ACT OR A CERTIFICATE OF EXEMPTION THEREFROM MUST BE OBTAINED AT TIME OF CLOSING IN ORDER FOR THE COMPANY TO RECORD ANY INSURED MORTGAGE. IF THE CLOSING IS NOT CONDUCTED BY THE COMPANY, A CERTIFICATE OF COMPLIANCE OR CERTIFICATE OF EXEMPTION MUST BE

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ATTACHED TO ANY MORTGAGE TO BE RECORDED.

S) SATISFACTORY EVIDENCE OF IDENTIFICATION MUST BE PRESENTED FOR THE NOTARIZATION OF ANY AND ALL DOCUMENTS NOTARIZED BY AN ILLINOIS NOTARY PUBLIC. SATISFACTORY IDENTIFICATION DOCUMENTS ARE DOCUMENTS THAT ARE VALID AT THE TIME OF THE NOTARIAL ACT, ARE ISSUED BY A STATE, FEDERAL GOVERNMENT AGENCY OR CONSULATE, BEAR THE PHOTOGRAPHIC IMAGE OF THE INDIVIDUAL'S FACE AND BEAR THE INDIVIDUAL'S SIGNATURE.

T) PURSUANT TO THE TAX REFORM ACT OF 1986, TITLE 1, SUBTITLE C, SECTION 1521, AS AMENDED, REQUIRES THE SETTLEMENT AGENT TO REPORT REAL ESTATE TRANSACTIONS. RELATIVE THERETO WE NOTE THE FOLLOWING AND REQUIRE:

WE MUST BE FURNISHED AT CLOSING THE TAX IDENTIFICATION NUMBERS OF ALL THE NON-EXEMPT TRANSFEROR(S) OF THE SUBJECT REAL ESTATE.

FAILURE TO COMPLY WITH THE REGULATION WILL RESULT IN A HOLD-BACK OF THE NET PROCEEDS OR A CANCELLATION OF THE CLOSING.

U) ANY DOCUMENTS BEING EXECUTED IN CONJUNCTION WITH THIS TRANSACTION MUST BE SIGNED IN THE PRESENCE OF AN AUTHORIZED COMPANY EMPLOYEE, AN AUTHORIZED EMPLOYEE OF AN AGENT, AN AUTHORIZED EMPLOYEE OF THE INSURED LENDER, OR UNDER THE SUPERVISION OF AN ATTORNEY LICENSED IN THE STATE IN WHICH THE DOCUMENT IS EXECUTED. IF THE ABOVE REQUIREMENTS CANNOT BE MET, PLEASE CONTACT A GREATER ILLINOIS TITLE COMPANY UNDERWRITER AT (312) 236-7300.

V) IN THE EVENT THAT ANY DOCUMENTS THAT ARE TO BE UTILIZED IN THE TRANSACTION INSURED BY THIS COMMITMENT ARE TO BE EXECUTED THROUGH A POWER OF ATTORNEY, WE RESERVE THE RIGHT TO VERIFY THE EXISTENCE OF THE PRINCIPAL AGENT RELATIONSHIP, AND THIS COMMITMENT IS SUBJECT TO ANY FURTHER EXCEPTIONS THAT MAY BE DEEMED NECESSARY.

W) NOTE FOR INFORMATION:

THE STATE OF ILLINOIS HAS ENACTED PUBLIC ACT 96-1454 EFFECTIVE JANUARY 1, 2011 WHICH AMENDS THE ILLINOIS TITLE INSURANCE ACT AND REQUIRES THE ISSUANCE OF CLOSING PROTECTION LETTERS (CPLS) FOR LENDERS, BORROWERS, BUYERS AND SELLERS IN ALL RESIDENTIAL AND NON-RESIDENTIAL REAL ESTATE TRANSACTIONS UNDER \$2,000,000 WHERE A TITLE INSURANCE COMPANY OR TITLE INSURANCE AGENCY ACTS AS THE ESCROW AGENT CONDUCTING THE CLOSINGS.

FOR ALL CLOSINGS TAKING PLACE ON OR AFTER JANUARY 1, 2011, GREATER ILLINOIS TITLE COMPANY WILL FOLLOW THE GUIDELINES FOR THE MINIMUM FEES FOR CPLS AND WILL COLLECT FROM THE PARTIES THE FEES NOTED ON THE TITLE INVOICE AND REMIT THE FEES TO OUR UNDERWRITER AS REQUIRED BY STATUTE.

NOTE FOR INFORMATION:

**ALL CLOSING PACKAGES SHOULD BE SENT TO : [E.DOC@GITC.COM](mailto:E.DOC@GITC.COM) (EMAIL PACKAGE FEE = \$45 PER LOAN PACKAGE)**

**CLOSING PROTECTION LETTER REQUESTS (CPL REQUESTS) : [CLOSINGLETTER@GITC.COM](mailto:CLOSINGLETTER@GITC.COM)**

NOTE: PURSUANT TO THE ILLINOIS GOOD FUNDS LAW EFFECTIVE JANUARY 1, 2010 (SECTION 215 ILCS 155/26) GREATER ILLINOIS TITLE COMPANY SHALL NOT MAKE DISBURSEMENTS IN CONNECTION WITH ANY ESCROWS, SETTLEMENTS OR CLOSINGS UNLESS THE FUNDS IN THE AGGREGATE AMOUNT OF \$50,000 OR GREATER ARE "GOOD

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Effective Date: **December 14, 2020**

FUNDS" DEFINED AS (A) WIRED FUNDS (B) CHECKS ISSUED BY A GOVERNMENT ENTITY (C) CHECKS DRAWN ON THE TRUST ACCOUNT OF A TITLE INSURANCE COMPANY OR TITLE INSURANCE AGENT OR (D) IF THE FUNDS ARE "COLLECTED FUNDS" AS DEFINED IN THE ABOVE STATUTE AS FUNDS THAT ARE DEPOSITED, FINALLY SETTLED AND CREDITED TO THE TITLE COMPANY'S FIDUCIARY TRUST ACCOUNT.

FUNDS IN THE AGGREGATE AMOUNT OF LESS THAN \$50,000 FROM ANY SINGLE PARTY MAY BE IN THE FORM OF (1) WIRED FUNDS (2) CASHIER'S CHECKS OR CERTIFIED CHECKS (3) CHECKS DRAWN ON THE TRUST ACCOUNT OF ANY LICENSED LAWYER OR REAL ESTATE BROKER (4) CHECKS ISSUED BY A GOVERNMENT ENTITY (5) CHECKS DRAWN ON THE FIDUCIARY TRUST ACCOUNT OF A TITLE INSURANCE COMPANY OR TITLE INSURANCE AGENT.

ALL CHECKS MUST BE MADE PAYABLE ONLY TO GREATER ILLINOIS TITLE COMPANY.

UNDER ALL CIRCUMSTANCES, GREATER ILLINOIS TITLE COMPANY RESERVES THE RIGHT TO APPROVE ALL FUNDS AND TO MAKE DETERMINATIONS OF WHETHER THERE ARE SUFFICIENT FUNDS AVAILABLE FOR WITHDRAWAL IN THE ACCOUNT UPON WHICH THE FUNDS ARE DRAWN AT THE TIME OF DISBURSEMENT.

**END OF SCHEDULE B - PART I REQUIREMENTS**

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A Policy Issuing Agent of Westcor Land Title Insurance Company

ALTA Commitment - Schedule B-II

File Number: **51003389**  
Commitment Date: **December 14, 2020**

Issued by: **Greater Illinois Title Company**  
**300 E. Roosevelt Rd.**  
**Suite 200**  
**Wheaton, IL 60187**  
**Phone: 630-462-7800**  
**Fax: 630-462-7821**

### **SCHEDULE B - PART II** **Exceptions**

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY PUBLIC RECORDS.
2. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND.
3. EASEMENTS, OR CLAIMS OF EASEMENTS, NOT SHOWN BY PUBLIC RECORDS.
4. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.
5. TAXES OR SPECIAL ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE PUBLIC RECORDS.
6. ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN THE PUBLIC RECORDS OR IS CREATED, ATTACHES, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE B, PART I-REQUIREMENTS ARE MET.
7. GENERAL REAL ESTATE TAXES FOR THE YEARS 2020 AND 2021. TAX NO. 09-25-327-004.

NOTE: THE AMOUNT OF THE 2019 TAXES WAS \$50,388.18.

NOTE: THE 2020 AND 2021 TAXES ARE NOT YET DUE AND PAYABLE.

NOTE: IN THE EVENT THAT THE PERMANENT TAX NUMBER SHOWN ON THE CERTIFICATE OF COMPLIANCE OR EXEMPTION ATTACHED TO THE INSURED MORTGAGE PURSUANT TO "S.B. 1167" IS DIFFERENT THAN THE TAX NUMBER SHOWN ABOVE, THE LENDER IS ADVISED THAT TAX PAYMENTS SHOULD NOT BE MADE BASED ON THE CERTIFICATE TAX NUMBER WITHOUT VERIFICATION OF THE CORRECT TAX NUMBER.

8. THE LAND LIES WITHIN THE BOUNDARIES OF A SPECIAL SERVICE AREA AS DISCLOSED BY ORDINANCE RECORDED AS DOCUMENT [94K089609](#), [2007K088671](#) AND [2007K101628](#), AND IS SUBJECT TO ADDITIONAL TAXES UNDER THE TERMS OF SAID ORDINANCE AND SUBSEQUENT RELATED ORDINANCES.

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Effective Date: **December 14, 2020**

9. TERMS, PROVISIONS AND CONDITIONS RELATING TO THE EASEMENT DESCRIBED AS PARCEL 2 CONTAINED IN THE INSTRUMENT CREATING SUCH EASEMENT.
10. RIGHTS OF THE ADJOINING OWNER AND OWNERS TO THE CONCURRENT USE OF THE EASEMENT DESCRIBED AS PARCEL 2.
11. TERMS, PROVISIONS AND CONDITIONS CONTAINED IN THE DOCUMENT RECORDED AUGUST 3, 2000 AS NO. [2000K061696](#), RELATING TO RECIPROCAL EASEMENT AND OPERATION AGREEMENT.
12. USE RESTRICTIONS CONTAINED IN THE FOLLOWING INSTRUMENTS:  
  
MEMO OF LEASE WITH COST PLUS DOCUMENT [2000K014398](#) RECORDED FEBRUARY 28 2000 AND RECORDED APRIL 14 2000 DOCUMENT [2000K027299](#);  
MEMO OF LEASE RECORDED APRIL 14 2000 AS DOCUMENT [2000K027303](#) WITH OFFICE DEPOT, INC.  
MEMO OF LEASE RECORDED APRIL 14 2000 AS DOCUMENT [2000K027301](#) WITH BORDERS, INC. AS LESSEE  
MEMO OF LEASE RECORDED APRIL 14 2000 AS DOCUMENT [2000K027297](#) WITH STEIN MART, INC. AS LESSEE  
MEMO OF LEASE RECORDED JULY 26 2000 AS DOCUMENT [2000K058904](#) WITH STEAK AND ALE OF ILLINOIS, INC. AS LESSEE
13. EASEMENT AS TO "OTR" AND DALAN ST. CHARLES RECORDED JULY 26 2000 AS DOCUMENT NO. [2000K058745](#), AFFECTS LOT 1 AND EASEMENT PARCEL 2.
14. EASEMENTS FOR PUBLIC UTILITIES, INCLUDING SEWER AND WATER AS SHOWN ON THE PLAT OF UNIT NO. 1, ST. CHARLES ILLINOIS INDUSTRIAL DEVELOPMENT, AND SHOWN ON PLAT DOCUMENT [2000K046916](#) RECORDED JUNE 13, 2000 AFFECTS THE NORTHERLY 10 FEET OF LOT 1, LIMITED TO AREA AS SHOWN ON SURVEY OF CRAIG R. KNOCHE AND ASSOCIATES NUMBER OF SURVEY 6-032LT DATE OF SURVEY AUGUST 9 2006  
  
BUILDING SETBACK LINES SHOWN ON PLAT OF SUBDIVISION DOCUMENT [2000K046916](#) AFFECTS NORTH 50 FEET AND WEST 50 FEET AND SOUTH 40 FEET LOT 1, LIMITED TO AREA AS SHOWN ON SURVEY OF CRAIG R. KNOCHE AND ASSOCIATES NUMBER OF SURVEY 6-032LT DATE OF SURVEY AUGUST 9 2006  
  
BLANKET EASEMENT TO CITY OF ST. CHARLES AND PUBLIC UTILITIES ON THE PLAT OF SUBDIVISION DOCUMENT [2000K046916](#) AFFECTS ALL EXCEPT WHERE BUILDINGS ARE LOCATED AFFECTS ALL LOTS  
  
INGRESS AND EGRESS EASEMENT ON PLAT OF SUBDIVISION DOCUMENT [2000K046916](#) AND PROVISIONS THEREON AFFECTS PART OF LOT 1 SEE PLAT, LIMITED TO AREA AS SHOWN ON SURVEY OF CRAIG R. KNOCHE AND ASSOCIATES NUMBER OF SURVEY 6-032LT DATE OF SURVEY AUGUST 9 2006  
  
PROVISIONS AS TO LIMITED ACCESS TO KIRK ROAD ON THE PLAT OF SUBDIVISION DOCUMENT [2000K046916](#) AFFECTS LOT 1, LIMITED TO AREA AS SHOWN ON SURVEY OF CRAIG R. KNOCHE AND ASSOCIATES NUMBER OF SURVEY 6-032LT DATE OF SURVEY AUGUST 9 2006  
  
LEGEND AS TO LIMITED ACCESS TO ILLINOIS ROUTE 64 ON THE PLAT OF SUBDIVISION DOCUMENT [2000K046916](#) AFFECTS LOT 1
15. COVENANTS AND RESTRICTIONS (BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW) CONTAINED

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A Policy Issuing Agent of Westcor Land Title Insurance Company

ALTA Commitment - Schedule B-II (continued)

File Number: **51003389**

Effective Date: **December 14, 2020**

- IN THE DOCUMENT RECORDED AS NO. [2000K069912](#), RELATING TO UNDERGROUND WATER SPRINKLER SYSTEM.
16. BUILDING SETBACK LINE OF 50 FEET (FROM THE NORTH LOT LINE) AS SHOWN ON THE PLAT OF SUBDIVISION.
  17. BLANKET EASEMENT TO CITY OF ST. CHARLES AND PUBLIC UTILITIES ON THE PLAT OF SUBDIVISION DOCUMENT [2000K046916](#) AFFECTS ALL EXCEPT WHERE BUILDINGS ARE LOCATED AFFECTS ALL LOTS.
  18. LEGEND AS TO LIMITED ACCESS TO ILLINOIS ROUTE 64 ON THE PLAT OF SUBDIVISION DOCUMENT [2000K046916](#).

**END OF SCHEDULE B - PART II EXCEPTIONS**

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Greater Illinois Title Company, Inc. and its subsidiaries (GIT) respect the privacy and security of your non-public personal information (“Personal Information”) and protecting your Personal Information is one of our top priorities. This Privacy Statement explains GIT’s privacy practices, including how we use the Personal Information we receive from you and from other specified sources, and to whom it may be disclosed. GIT follows the privacy practices described in this Privacy Statement and, depending on the business performed, GIT companies may share information as described herein.

**PERSONAL INFORMATION COLLECTED**

- We may collect Personal Information about you from the following sources:
- Information we receive from you on applications or other forms, such as your name, address, social security number, tax identification, asset information and income information;
- Information we receive from you through our internet websites, such as your name, address, email address, Internet Protocol address, the website links you used to get to our websites, and your activity while using or reviewing our websites;
- Information about your transactions with or services performed by us, our affiliates, or others, such as information concerning your policy, premiums, payment history, information about your home or other real property, information from lenders and other third parties involved in such transaction, account balances, and credit card information; and
- Information we receive from consumer or other reporting agencies and publicly recorded documents.

**Disclosure of Personal Information**

We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) to various individuals and companies as permitted by law, without obtaining your prior authorization. Such laws do not allow consumers to restrict these disclosures. Disclosures may include, without limitation, the following:

- To insurance agents, brokers, representatives, support organizations, or others to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure in connection with an insurance transaction;
- To third-party contractors or service providers for the purpose of determining your eligibility for an insurance benefit or payment and/or providing you with services you have requested;
- To an insurance regulatory authority, or a law enforcement or other governmental authority, in a civil action, in connection with a subpoena or a governmental investigation;
- To lenders, lien holders, judgment creditors, or other parties claiming an encumbrance or an interest in title whose claim or interest must be determined, settled, paid or released prior to a title or escrow closing.

We may also disclose your Personal Information to others when we believe, in good faith, that such disclosure is responsibly necessary to comply with the law or to protect the safety of our customers, employees, or property and/or to comply with a judicial proceeding, court order or legal process.

Disclosure to Affiliated Companies - We are permitted by law to share your name, address, and facts about your transaction with other GIT companies, such as insurance companies, agents, and other real estate service providers to provide you with services you have requested, for marketing or product development research, or to market products or services to you. We do not, however, disclose information we collect from consumer credit reporting agencies with our affiliates or with others without your consent, in conformity with applicable law, unless such disclosure is otherwise permitted by law.

Disclosure to Nonaffiliated Third Parties - We do not disclose Personal Information about our customers or former customers to nonaffiliated third parties, except as outlined herein or as otherwise permitted by law.

**Confidentiality and Security of Personal Information** - We restrict access to Personal Information about you to those employees who need to know that information to provide products or services to you. We maintain physical, electronic and procedural safeguards that comply with federal regulations to guard Personal Information.

**Access to Personal Information/Requests for Correction, Amendment, or Deletion of Personal Information-** As required by applicable law, we will afford you the right to access your Personal Information, under certain circumstances to find out to whom your Personal Information has been disclosed, and request correction or deletion of your Personal Information. However, GIT's current policy is to maintain customers' Personal Information for no less than your state's required record retention requirements for the purpose of handling future coverage claims.

For your protection, all requests made under this section must be in writing and must include your notarized signature to establish your identity. Where permitted by law, we may charge a reasonable fee to cover the costs incurred in responding to such requests. Please send requests to:

**Gregory M. Kosin, Chief Compliance Officer**  
**Greater Illinois Title Company, Inc.**  
**120 North LaSalle Street, Suite 900**  
**Chicago, IL 60602**

**Branded or Co-Sponsored Websites** - If you provide Personal Information to us through a co-branded or co-sponsored website, you may be providing such information to the co-sponsor as well. In that event, we will make reasonable efforts to provide notice to you at the time you provide the information and you can decide whether you wish to do so. If you do submit such information, we will not be responsible for the use of the information you submit to the co-sponsor.

**Links to Other Websites** - Our websites may contain links to websites that are provided and maintained by third parties and that are not subject to this Privacy Statement. Please review the privacy statements on those websites. We make no representations concerning and are not responsible for any such third party websites or their privacy policies or practices.

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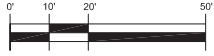
**Changes to this Privacy Statement** - This Privacy Statement may be amended from time to time consistent with applicable privacy laws. When we amend this Privacy Statement, we will post a notice of such changes on our website. The effective date of this Privacy Statement, as stated above, indicates the last time this Privacy Statement was revised or materially changed.



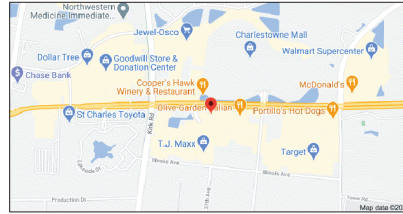
### **LEGAL DESCRIPTION**

PARCEL 1: LOT 4 IN MAIN STREET COMMONS PLANNED UNIT DEVELOPMENT, BEING A RESUBDIVISION OF PART OF LOTS 4, 5, 6 AND 17 OF UNIT NO. 1 OF THE ST. CHARLES ILLINOIS INDUSTRIAL DEVELOPMENT OF THE CENTRAL MANUFACTURING DISTRICT IN SECTIONS 25 AND 36, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 13, 2000 AS DOCUMENT NUMBER 2000K046916, IN KANE COUNTY, ILLINOIS.

PARCEL 2: EASEMENTS FOR THE BENEFIT OF PARCEL ONE CREATED BY THE INSTRUMENTS RECORDED JULY 26, 2000 DOCUMENT 2000K058745 AND RECORDED AUGUST 3, 2000 DOCUMENT 2000K061696 AND RECORDED JANUARY 4, 2002 AS DOCUMENT 2002K001839.



**LOCATION MAP**



**UNITED SURVEY SERVICE, LLC**  
CONSTRUCTION AND LAND SURVEYORS  
7710 CENTRAL AVENUE, RIVER FOREST, IL 60305  
TEL: (847) 299-1010 FAX: (847) 299-5887  
E-MAIL: USLSURVEY@SANDSCS.COM  
**ALTA / NSPS**  
**LAND TITLE SURVEY**

**PARCEL 1:**  
LOT 4 IN MAIN STREET COMMONS PLANNED UNIT DEVELOPMENT, BEING A RESUBDIVISION OF PART OF LOTS 4, 5, 6 AND 17 OF UNIT NO. 1 OF THE ST. CHARLES ILLINOIS INDUSTRIAL DEVELOPMENT OF THE CENTRAL MANUFACTURING DISTRICT IN SECTIONS 25 AND 35, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 13, 2000 AS DOCUMENT NUMBER 2000K046916, IN KANE COUNTY, ILLINOIS.

**PARCEL 2:**  
EASEMENTS FOR THE BENEFIT OF PARCEL ONE CREATED BY THE INSTRUMENTS RECORDED JULY 26, 2000 DOCUMENT 2000K058745 AND RECORDED AUGUST 3, 2000 DOCUMENT 2000K061696 AND RECORDED JANUARY 4, 2002 AS DOCUMENT 2000K010159.

KNOWN AS: **3691 E. MAIN STREET SAINT CHARLES, ILLINOIS.**

PERMANENT INDEX NUMBER: 09 - 25 - 327 - 004 - 0000

TOTAL AREA= **46,327 SQ. FT. OR 1.0534 ACRES.**

**NOTE:**  
THIS LEGAL DESCRIPTION DESCRIBES THE SAME PROPERTY AS INSURED IN THE TITLE COMMITMENT AND ANY EXCEPTIONS HAVE BEEN NOTED HEREIN.

**NOTES:**

- THE SUBJECT PROPERTY HAS ACCESS TO AND FROM A DULY DEDICATED AND ACCEPTED PUBLIC STREET KNOWN AS **E. MAIN STREET (ROUTE 64).**
- THE SURVEY AND THE INFORMATION, COURSES AND DISTANCES SHOWN THEREON ARE CORRECT;
- THE TITLE LINES AND LINES OF ACTUAL POSSESSION ARE THE SAME;
- THE SUBJECT PROPERTY DOES NOT SERVE ANY ADJOINING PROPERTY FOR DRAINAGE, UTILITIES, OR INGRESS OR EGRESS;
- ELECTRIC, GAS, TELEPHONE AND WATER UTILITY AND STORM AND SANITARY SEWER SYSTEMS ACCESS THE PROPERTY IN LEGALLY DEDICATED RIGHTS OR WAY THAT BENEFIT THE PROPERTY.
- THERE ARE NO VISIBLE EVIDENCE OF CEMETERIES, GRAVE SITES OR BURIAL GROUNDS LOCATED ON THE PROPERTY.
- ITEM # 8 FROM TABLE A**  
ALL SUBSTANTIAL FEATURES OBSERVED ON THE PROPERTY HAVE BEEN PLOTTED.
- ITEM # 9 FROM TABLE A**  
THERE ARE 30 STRIPPED PARKING SPACES ON THE PROPERTY.
- ITEM # 11 FROM TABLE A**  
ALL VISIBLE UTILITIES ARE PLOTTED.
- ITEM # 16 FROM TABLE A**  
AT THE TIME OF THIS SURVEY, NO VISIBLE RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS WERE NOTED.

**GREATER ILLINOIS TITLE COMPANY**

COMMITMENT NO.: **51003389**  
EFFECTIVE DATE: **DECEMBER 14, 2020**

ITEMS CORRESPONDING TO SCHEDULE B:

**ITEMS 1 - 8,**  
NOT SURVEY RELATED.

**ITEM 9,**  
TERMS, PROVISIONS AND CONDITIONS RELATING TO THE EASEMENT DESCRIBED AS PARCEL 2 CONTAINED IN THE INSTRUMENT CREATING SUCH EASEMENT.  
**(NOT PLOTTABLE)**

**ITEM 10,**  
RIGHTS OF THE ADJOINING OWNER AND OWNERS TO THE CONCURRENT USE OF THE EASEMENT DESCRIBED AS PARCEL 2.  
**(NOT PLOTTABLE)**

**ITEM 11,**  
TERMS, PROVISIONS AND CONDITIONS CONTAINED IN THE DOCUMENT RECORDED AUGUST 3, 2000 AS NO. 2000K061696, RELATING TO RECIPROCAL EASEMENT AND OPERATION AGREEMENT.  
**(NOT PLOTTABLE)**

**ITEM 12,**  
NOT SURVEY RELATED.

**ITEM 13,**  
EASEMENT AS TO "OTR" AND DALAN ST. CHARLES RECORDED JULY 26 2000 AS DOCUMENT NO. 2000K058745 / AFFECTS LOT 1 AND EASEMENT PARCEL 2.  
**(NOT PLOTTABLE)**

**ITEM 14,**  
EASEMENTS FOR PUBLIC UTILITIES, INCLUDING SEWER AND WATER AS SHOWN ON THE PLAT OF UNIT NO. 1, ST. CHARLES ILLINOIS INDUSTRIAL DEVELOPMENT, AND SHOWN ON PLAT DOCUMENT 2000K046916 RECORDED JUNE 13, 2000 AFFECTS THE NORTHERLY 10 FEET OF LOT 1, LIMITED TO AREA AS SHOWN ON SURVEY OF CRAIG R. KNOCHIE AND ASSOCIATES NUMBER OF SURVEY 6-032/LT DATE OF SURVEY AUGUST 9 2006

BUILDING SETBACK LINES SHOWN ON PLAT OF SUBDIVISION DOCUMENT 2000K061696 AFFECTS NORTH 50 FEET AND WEST 50 FEET AND SOUTH 40 FEET LOT 1, LIMITED TO AREA AS SHOWN ON SURVEY OF CRAIG R. KNOCHIE AND ASSOCIATES NUMBER OF SURVEY 6-032/LT DATE OF SURVEY AUGUST 9 2006

BLANKET EASEMENT TO CITY OF ST. CHARLES AND PUBLIC UTILITIES ON THE PLAT OF SUBDIVISION DOCUMENT 2000K046916 AFFECTS ALL EXCEPT WHERE BUILDINGS ARE LOCATED AFFECTS ALL LOTS

INGRESS AND EGRESS EASEMENT ON PLAT OF SUBDIVISION DOCUMENT 2000K046916 AND PROVISIONS THEREON AFFECTS PART OF LOT 1 SEE PLAT, LIMITED TO AREA AS SHOWN ON SURVEY OF CRAIG R. KNOCHIE AND ASSOCIATES NUMBER OF SURVEY 6-032/LT DATE OF SURVEY AUGUST 9 2006

PROVISIONS AS TO LIMITED ACCESS TO HIRK ROAD ON THE PLAT OF SUBDIVISION DOCUMENT 2000K046916 AFFECTS LOT 1, LIMITED TO AREA AS SHOWN ON SURVEY OF CRAIG R. KNOCHIE AND ASSOCIATES NUMBER OF SURVEY 6-032/LT DATE OF SURVEY AUGUST 9 2006

LEGEND AS TO LIMITED ACCESS TO ILLINOIS ROUTE 64 ON THE PLAT OF SUBDIVISION DOCUMENT 2000K046916 AFFECTS LOT 1  
**(PLOTTED ON THE DRAWING)**

- ITEM 15,**  
COVENANTS AND RESTRICTIONS (BUT OMITTING ANY COVENANTS OR RESTRICTIONS IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILY STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW) CONTAINED IN THE DOCUMENT RECORDED AS NO. 2000K069112, RELATING TO UNDERGROUND WATER SPRINKLER SYSTEM.  
**(NOT PLOTTABLE)**
- ITEM 16,**  
BUILDING SETBACK LINE OF 50 FEET (FROM THE NORTH LOT LINE) AS SHOWN ON THE PLAT OF SUBDIVISION.  
**(PLOTTED ON THE DRAWING)**
- ITEM 17,**  
BLANKET EASEMENT TO CITY OF ST. CHARLES AND PUBLIC UTILITIES ON THE PLAT OF SUBDIVISION DOCUMENT 2000K046916 AFFECTS ALL EXCEPT WHERE BUILDINGS ARE LOCATED AFFECTS ALL LOTS.  
**(NOT PLOTTABLE)**
- ITEM 18,**  
LEGEND AS TO LIMITED ACCESS TO ILLINOIS ROUTE 64 ON THE PLAT OF SUBDIVISION DOCUMENT 2000K046916  
**(NOT PLOTTABLE)**

**CITY OF ST. CHARLES, ILLINOIS**  
TWO EAST MAIN STREET ST. CHARLES, IL 60174-1064  
PHONE: 630-377-6400  
FAX: 630-377-4440 - WWW.STCHARLESIL.GOV

**ZONING REQUIREMENTS:**  
**BR - REGIONAL BUSINESS**

PARKING SPACE TABLE	
TYPE OF SPACE	TOTAL EXISTING
REGULAR	35
HANDICAP	3
<b>TOTAL</b>	<b>38</b>

ORDERED BY: VERANO HOLDINGS, LLC		
SCALE : 1" = 16'		
DATE : JANUARY 16, 2021		
FILE No.:		
<b>2021 - 28394</b>	DATE	REVISION

**FLOOD STATEMENT:**  
THE PROPERTY DESCRIBED IN THIS SURVEY DOES NOT LIE WITHIN FLOOD HAZARD AREAS IN ACCORDANCE WITH ANY MAPS ENTITLED "FLOOD INSURANCE RATE MAP" OR "FLOOD HAZARD FLOODWAY BOUNDARY MAP," "FLOOD HAZARD BOUNDARY MAP" OR "FLOOD BOUNDARY AND FLOODWAY MAP" PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY OR A FLOOD HAZARD BOUNDARY MAP PUBLISHED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, AS SHOWN ON FLOOD INSURANCE MAP:  
  
COMMUNITY NUMBER PANEL: NON-PRINTED  
MAP NUMBER: **17083C0270H**

STATE OF ILLINOIS )  
                                  ) SS  
COUNTY OF COOK )

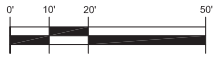
I, ROY G. LAWNICZAK, A REGISTERED LAND SURVEYOR, LICENSE NO. 35-2290, IN AND FOR THE STATE OF ILLINOIS AND LEGALLY DOING BUSINESS IN COOK COUNTY, DO HEREBY CERTIFY TO:

- **ST. CHARLES HOLDING CORP., A NEW YORK CORPORATION**
- **HEALTHWAY SERVICES OF WEST ILLINOIS, LLC.**
- **GREATER ILLINOIS TITLE COMPANY.**

AND TO THEIR SUCCESSORS AND ASSIGNS, THAT:  
  
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA / NSPS LAND TITLE SURVEYS JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(a), 7(b)(1), 7(c), 8, 9, 13 AND 16 OF TABLE A THEREOF.  
  
THE FIELD WORK WAS COMPLETED ON JANUARY 16, 2021.  
  
DATE OF PLAT: **JANUARY 19, 2021.**

BY:  
ROY G. LAWNICZAK, REGISTERED ILLINOIS LAND SURVEYOR NO. 35-2290  
LICENSE EXPIRES: NOVEMBER 30, 2022  
PROFESSIONAL DESIGN FIRM LICENSE NO.: 184-004576  
LICENSE EXPIRES: APRIL 30, 2021





VARIES R.O.W. HERETOFORE DEDICATED  
 AS FOR PUBLIC STREET PURPOSES

E. MAIN STREET (ROUTE 64)

ITEM 14. INGRESS AND EGRESS EASEMENT ON PLAT OF SUBDIVISION DOCUMENT 2000K046916 AND PROVISIONS THEREON AFFECTS PART OF LOT 1

ITEM 14. EASEMENTS FOR PUBLIC UTILITIES, INCLUDING SEWER AND WATER AS SHOWN ON THE PLAT OF UNIT NO. 1, ST. CHARLES ILLINOIS INDUSTRIAL DEVELOPMENT AND SHOWN ON PLAT DOCUMENT 2000K046916 RECORDED JUNE 13, 2000 AFFECTS THE NORTHERLY 10 FEET OF LOT 1

ITEM 14. BUILDING SETBACK LINES SHOWN ON PLAT OF SUBDIVISION DOCUMENT 2000K046916 AFFECTS NORTH 50 FEET AND WEST 50 FEET AND SOUTH 40 FEET LOT 1

ITEM 16. BUILDING SETBACK LINE OF 50 FEET FROM THE NORTH LOT LINE AS SHOWN ON THE PLAT OF SUBDIVISION.

LOT 1  
 09-25-327-009-0000

PARCEL 2

PARCEL 1  
 LOT 4

LOT 4  
 (M&R)S06°07'24"W

LOT 3

NOTE: SURFACE DETAIL & OCCUPIED BY SIGN

ORDERED BY: VERANO HOLDINGS, LLC		
SCALE: 1" = 15'		
DATE: JANUARY 16, 2021		
FILE No.:		
2021 - 28394	DATE	REVISION

SHEET 2 OF 2

LEGEND	ABBREVIATIONS
	SAN-MH SANITARY MANHOLE
	ST-MH STORM MANHOLE
	CB CATCH BASIN
	INLET INLET
	WV-VV WATER VALVE VAULT
	W-MH WATER MANHOLE
	FH FIRE HYDRANT
	TL TRAFFIC LIGHT
	LP LIGHT POLE
	WUP WOOD UTILITY POLE
	TR-S-MH TRAFFIC SIGNAL MANHOLE
	MH MANHOLE
	SIGN SIGN
	HP HANDICAPPED PARKING SPACE
	(R) RECORD DATA
	(M) MEASURED DATA



# Land Use Opinion Report (LUO) Application

**Petitioner:** Healthway Services of West Illinois, LLC  
 Contact person: Chris Fotopoulos  
 Address: 415 N. Dearborn St., 4th Floor  
 City, State, Zip: Chicago, IL 60654  
 Phone Number: (312) 819-4859  
 Email: chris@verano.holdings

**Owner:** St. Charles Holding Corp.  
 Address: 23 The Moor  
 City, State, Zip: East Islip, NY 11730  
 Phone Number: (312) 819-4859  
 Email: chris@verano.holdings

Please select: How would you like to receive a copy of the LUO Report? Email  Mail

### Site Location

Address: 3691 E Main St  
 City, State, Zip: St Charles, IL 60174  
 Township(s) 25,36 N Range(s) 40 E Section(s) 8  
 Parcel Index Number(s): 09-25-327-004

### Type of Request

- Change in Zoning from \_\_\_\_\_ to \_\_\_\_\_
- Subdivision or Planned Unit Development (PUD)
- Variance (Please describe fully on a separate sheet)
- Special Use Permit (Please describe on separate sheet)

### Site Information

Permitting Unit of Government: City of St. Charles Hearing Date: TBD  
 Project Name: Zen Leaf St. Charles Total Acres: 1.07 Area of Disturbance: N/A  
 Current Use of Site: Vacant retail sales Proposed Use: Recreational Cannabis Dispensing Org

### Proposed Improvements (Check all that apply)

- Dwellings with Basements
- Dwellings without Basements
- Parking Lots
- Roads and Streets
- Commercial Buildings
- Utility Structures
- Common Open Space
- Other \_\_\_\_\_

### Stormwater Treatment

- Drainage Ditches or Swales
- Storm Sewers
- Dry Detention Basins
- Wet Detention Basins
- No Detention Facilities Proposed
- Other \_\_\_\_\_

### Water Supply

- Individual Wells
- Community Water

### Wastewater Treatment

- Septic System
- Sewers
- Other \_\_\_\_\_

**Required: Include One Copy of Each of the Following (Processing will not begin until all items are received)**

**MAIL TO: 2315 DEAN ST. SUITE 100, ST. CHARLES, IL 60175**

- Application** (completed and signed)
- Fee** (according to fee schedule on back)
- Make Checks payable to Kane-DuPage Soil and Water Conservation District
- Plat of Survey** showing legal description, legal measurements
- Site Plan/Drawings** showing lots, storm water detention areas, open areas, streets etc.
- Project Narrative** with additional details on the proposed use, including total area of ground disturbance
- Location Map** (if not on maps above) include distances from major roadways or tax parcel numbers

### If Available- Not Required:

Any applicable surveys including wetland delineation, detailed soil survey, topographic survey etc.

**I (we) understand the filing of this application allows the authorized representative of the Kane-DuPage Soil and Water Conservation District to visit and conduct an evaluation of the site.**

Petitioner or Authorized Agent [Signature] Date 1/20/2021

### FOR OFFICE USE ONLY

LUO # \_\_\_\_\_ Natural Resource Review Letter \_\_\_\_\_ Date Initially rec'd \_\_\_\_\_ Date all rec'd \_\_\_\_\_  
 Date Due \_\_\_\_\_ Fee Due \$ \_\_\_\_\_ Refund Due \_\_\_\_\_ Check # \_\_\_\_\_

The opinion will be issued on a nondiscriminatory basis without regard to race, color, religion, sex, age, marital status, handicap, or national origin.

Effective July 1, 2020

## **Land Use Project Narrative**

The Applicant seeks a special use to relocate their existing recreational cannabis dispensary to the subject property. The property is currently improved with a single-story commercial space previously used for the retail sale of jewelry and is now vacant. The Applicant seeks to relocate their existing dispensary to the vacant commercial space. The height and exterior of the existing building will remain unchanged and any renovations are interior in nature. As the property is currently improved, there will be no ground disturbance.





**LOCATION MAP**



**UNITED SURVEY SERVICE, LLC**  
CONSTRUCTION AND LAND SURVEYING  
7710 CENTRAL AVENUE, RIVER FOREST, IL 60009  
TEL: (847) 258-1910 FAX: (847) 258-1907  
E-MAIL: USURV@SUNSP.COM  
**ALTA / NSPS**  
**LAND TITLE SURVEY**

**PARCEL 1:**  
LOT # 8 IN MAIN STREET COMMONS PLANNED UNIT DEVELOPMENT, REMAINS A REDUPLICATION OF PART OF LOTS 4, 5, 6 AND 17 OF UNIT NO. 107 THE ST. CHARLES ILLINOIS INDUSTRIAL DEVELOPMENT OF THE CENTRAL MANUFACTURING DISTRICT IN SECTION 28 AND 29, TOWNSHIP 48 NORTH RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 15, 2009 AS DOCUMENT NUMBER 200904866, IN ST. CHARLES COUNTY, ILLINOIS.

**PARCEL 2:**  
EASEMENTS FOR THE BENEFIT OF PARCEL ONE CREATED BY THE INSTRUMENTS RECORDED JULY 26, 2008 DOCUMENT 200802616 AND RECORDED AUGUST 1, 2008 DOCUMENT 200803696 AND RECORDED JANUARY 4, 2007 AS DOCUMENT 200700598.

KNOWN AS: 2811 S. MAIN STREET BARTY CHARLES, ILLINOIS

PERMANENT INDEX NUMBER: 01-25-107-004-000

TOTAL AREA: 84,511 SQ. FT. OR 1.93 ACRES

**NOTE:**  
THIS LEGAL DESCRIPTION DESCRIBES THE SAME PROPERTY AS SHOWN IN THE TITLE COMMITMENT AND ANY EXCEPTS HAVE BEEN NOTED HEREIN.

**NOTES:**

- THE SUBJECT PROPERTY HAS ACCESS TO AND FROM A DULY DEDICATED AND ACCEPTED PUBLIC STREET KNOWN AS S. MAIN STREET (ROUTE 84).
- THE SURVEY AND THE INFORMATION, COURSES AND DISTANCES SHOWN THEREON ARE CORRECT.
- THE TITLE LINES AND LINES OF ACTUAL POSSESSION ARE THE SAME.
- THE SUBJECT PROPERTY DOES NOT SERVE ANY ADJOINING PROPERTY FOR DRAINAGE, UTILITIES, OR EGRESS OR EXPRESS.
- ELECTRIC, GAS, TELEPHONE AND WATER UTILITY AND STORM AND SANITARY SEWER SYSTEMS ACCESS THE PROPERTY IN LEGALLY DEDICATED RIGHTS OF WAY THAT BENEFIT THE PROPERTY.
- THERE ARE NO VISIBLE EVIDENCE OF CENTERLINE, GRADE STOPS OR SURVAL GROUND LOCATED ON THE PROPERTY.
- ITEM # 8 FROM TABLE A ALL SUBSTANTIAL FEATURES OBSERVED ON THE PROPERTY HAVE BEEN PLOTTED.
- ITEM # 9 FROM TABLE A THERE ARE 34 STRIPED PARKING SPACES ON THE PROPERTY.
- ITEM # 11 FROM TABLE A ALL VISIBLE UTILITIES ARE PLOTTED.
- ITEM # 18 FROM TABLE A AT THE TIME OF THIS SURVEY, NO VISIBLE RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS WERE NOTED.

**DEBIATER ILLINOIS TITLE COMPANY**  
COMMITMENT NO. 01662388  
EFFECTIVE DATE: DECEMBER 14, 2019  
ITEMS CORRESPONDING TO SCHEDULE B:

**ITEMS 1 - 6:**  
NOT SURVEY RELATED.

**ITEM 8:**  
TERMS, PROVISIONS AND CONDITIONS RELATING TO THE EASEMENT DESCRIBED AS PARCEL 2 CONTAINED IN THE INSTRUMENT CREATING SUCH EASEMENT. (NOT PLOTTABLE)

**ITEM 10:**  
RIGHTS OF THE ADJOINING OWNER AND OWNERS TO THE CONCURRENT USE OF THE EASEMENT DESCRIBED AS PARCEL 2. (NOT PLOTTABLE)

**ITEM 11:**  
TERMS, PROVISIONS AND CONDITIONS CONTAINED IN THE DOCUMENT RECORDED AUGUST 3, 2009 AS NO. 200904988, RELATIVE TO RECIPROCAL EASEMENT AND OPERATION AGREEMENT. (NOT PLOTTABLE)

**ITEM 12:**  
NOT SURVEY RELATED.

**ITEM 13:**  
EASEMENT AS TO "ST" AND SALAM ST. CHARLES RECORDED JULY 26, 2008 AS DOCUMENT NO. 200802616, AFFECTS LOT 1 AND EASEMENT PARCEL. (NOT PLOTTABLE)

**ITEM 14:**  
EASEMENTS FOR PUBLIC UTILITIES, INCLUDING SEWER AND WATER AS SHOWN ON THE PLAT OF UNIT NO. 1, ST. CHARLES ILLINOIS INDUSTRIAL DEVELOPMENT, AND SHOWN ON PLAT DOCUMENT 200904866 RECORDED JUNE 15, 2009 AFFECTS THE NORTHEASTLY 1/2 OF LOT 1, LIMITED TO AREAS AS SHOWN ON SURVEY OF GRASS ILLINOIS AND ASSOCIATED NUMBER OF SURVEY 8-03212 DATE OF SURVEY AUGUST 9, 2008.

BUILDING SETBACK LINES SHOWN ON PLAT OF SUBDIVISION DOCUMENT 200904866 AFFECTS NORTH 50 FEET AND WEST 50 FEET AND SOUTH 45 FEET LOT 1, LIMITED TO AREA AS SHOWN ON SURVEY OF GRASS ILLINOIS AND ASSOCIATED NUMBER OF SURVEY 8-03212 DATE OF SURVEY AUGUST 9, 2008.

BLANSET EASEMENT TO CITY OF ST. CHARLES AND PUBLIC UTILITIES ON THE PLAT OF SUBDIVISION DOCUMENT 200904866 AFFECTS ALL LOTS EXCEPT WHERE BUILDINGS ARE LOCATED AFFECTS ALL LOTS.

EGRESS AND EXPRESS EASEMENT ON PLAT OF SUBDIVISION DOCUMENT 200904866 AND PROVISIONS THEREON AFFECTS PART OF LOT 1 SEE PLAT, LIMITED TO AREA AS SHOWN ON SURVEY OF GRASS ILLINOIS AND ASSOCIATED NUMBER OF SURVEY 8-03212 DATE OF SURVEY AUGUST 9, 2008.

PROVISIONS AS TO LIMITED ACCESS TO HWY 80 ROAD ON THE PLAT OF SUBDIVISION DOCUMENT 200904866 AFFECTS LOT 1, LIMITED TO AREA AS SHOWN ON SURVEY OF GRASS ILLINOIS AND ASSOCIATED NUMBER OF SURVEY 8-03212 DATE OF SURVEY AUGUST 9, 2008.

LEGEND AS TO LIMITED ACCESS TO ILLINOIS ROUTE 84 ON THE PLAT OF SUBDIVISION DOCUMENT 200904866 AFFECTS LOT 1 (PLOTTED ON THE DRAWING)

**ITEM 15:**  
COVENANTS AND RESTRICTIONS (BUT CARRYING ANY COVENANTS OR RESTRICTIONS, IF ANY, SHALL UPON FACE, COLOR, RELATION, SEX, RACIAL ORIENTATION, MARITAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS FORFEITED BY 200904866, RELATIVE TO UNDERGROUND WATER SPRINKLER SYSTEM (NOT PLOTTABLE).

**ITEM 16:**  
BUILDING SETBACK LINE OF 30 FEET FROM THE NORTH LOT LINE AS SHOWN ON THE PLAT OF SUBDIVISION. (PLOTTED ON THE DRAWING)

**ITEM 17:**  
BLANSET EASEMENT TO CITY OF ST. CHARLES AND PUBLIC UTILITIES ON THE PLAT OF SUBDIVISION DOCUMENT 200904866 AFFECTS ALL LOTS EXCEPT WHERE BUILDINGS ARE LOCATED AFFECTS ALL LOTS. (NOT PLOTTABLE)

**ITEM 18:**  
LEGEND AS TO LIMITED ACCESS TO ILLINOIS ROUTE 84 ON THE PLAT OF SUBDIVISION DOCUMENT 200904866 (NOT PLOTTABLE)

**CITY OF ST. CHARLES, ILLINOIS**  
2101 GOLF LINKS STREET ST. CHARLES, IL 60154-1984  
PHONE: 636-277-4488  
FAX: 636-277-4448 - WWW.STCHARLES.IL.GOV  
**ZONING REGULATIONS:**  
SR - RESIDENTIAL BUSINESS

**PARKING SPACE TABLE**

TYPE OF	TOTAL EXISTING
STANDARD	0
STRIPED	34
TOTAL	34

ORDERED BY:  
VERANO HOLDINGS, LLC  
SCALE: 1" = 10'  
DATE: JANUARY 16, 2021  
FILE NO.:  
2021 - 28394

DATE	REVISION

**FLOOD STATEMENT:**  
THE PROPERTY DESCRIBED IN THIS SURVEY DOES NOT LIE WITHIN FLOOD HAZARD AREAS IN ACCORDANCE WITH ANY MAPS ENTITLED "FLOOD INSURANCE RATE MAP" OR "FLOOD HAZARD FLOODWAY BOUNDARY MAP," "FLOOD HAZARD BOUNDARY MAP" OR "FLOOD BOUNDARY AND FLOODWAY MAP" PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY OR A HOUSING AND URBAN DEVELOPMENT, AS SHOWN ON FLOOD INSURANCE MAP; COMMUNITY NUMBER PANEL: NON-FRONTED MAP NUMBER: 1709202005.

STATE OF ILLINOIS )  
                                  ) SS  
COUNTY OF COOK )  
  
I, ROY G. LAMNICKAK, A REGISTERED LAND SURVEYOR, LICENSE NO. 38-0291, IN AND FOR THE STATE OF ILLINOIS AND LEGALLY OWNED BUSINESS IN COOK COUNTY, DO HEREBY CERTIFY TO:

- ST. CHARLES HOLDING CORP., A NEW YORK CORPORATION
- REALTORRY SERVICES OF WEST ILLINOIS, LLC
- DEBIATER ILLINOIS TITLE COMPANY

AND TO THEIR SUCCESSORS AND ASSIGNS, THAT:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA / NSPS LAND TITLE SURVEYS JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(A), 7(B), 10, 11, 8, 9, 13 AND 18 OF TABLE A THEREOF.

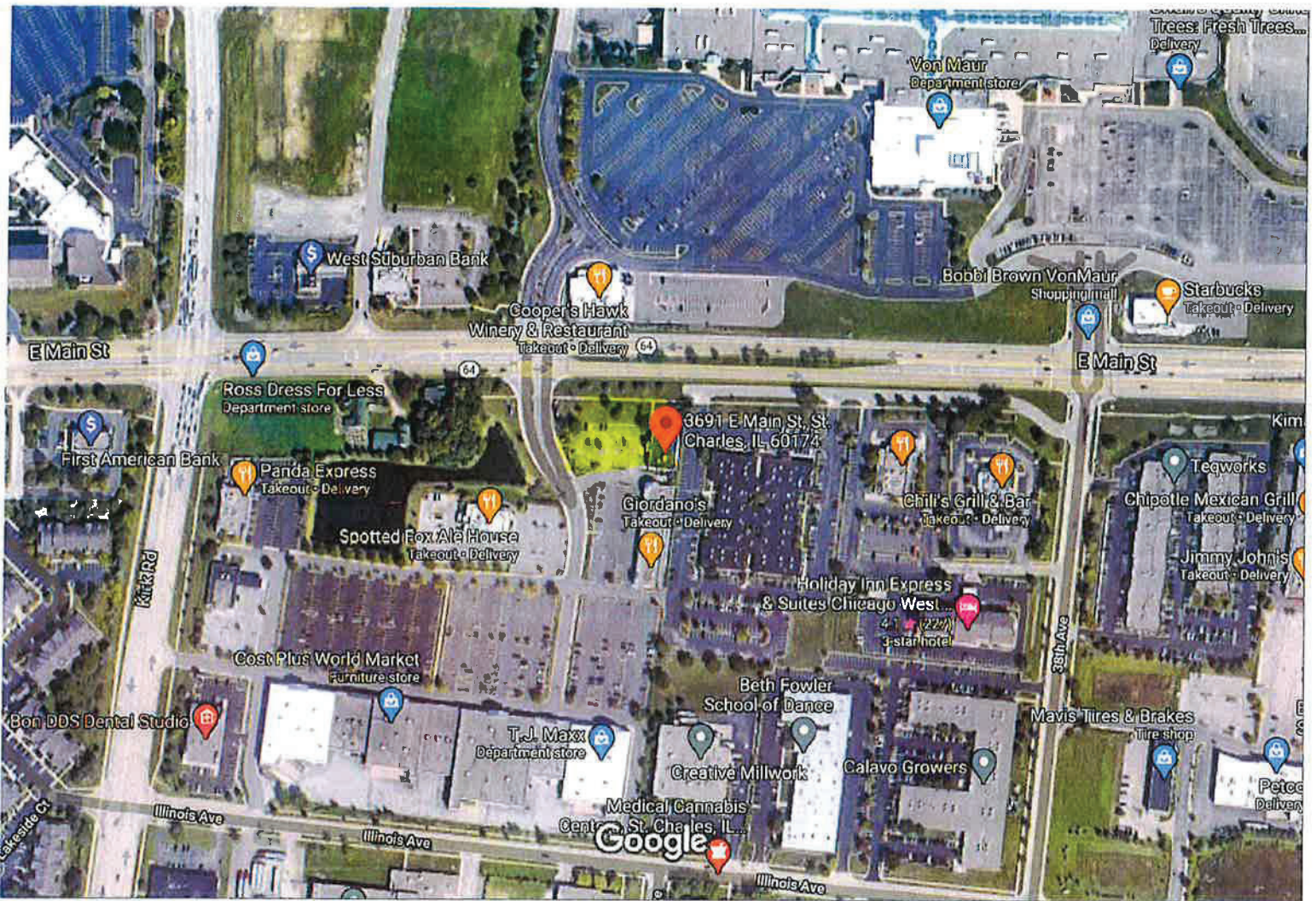
THE FIELD WORK WAS COMPLETED ON JANUARY 14, 2021.  
DATE OF PLAT: JANUARY 16, 2021.

BY: *Roy G. Lamnackak*  
ROY G. LAMNICKAK, REGISTERED LAND SURVEYOR, LICENSE NO. 38-0291  
LICENSE EXPIRES: NOVEMBER 30, 2022  
PROFESSIONAL DESIGN FIRM LICENSE NO. 184-04068  
LICENSE EXPIRES: APRIL 30, 2021









Imagery ©2021 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2021 200 ft



3691 E Main St  
 St. Charles, IL 60174  
 Building

**Applicant:** Healthway Services of West Illinois, LLC  
**Contact:** Chris Fotopoulos  
**Address:** 415 N. DearbornSt.  
4th Floor  
Chicago, IL 60654

**IDNR Project Number:** 2109669  
**Date:** 01/22/2021

**Project:** Zen Leaf St. Charles  
**Address:** 3691 E. Main St., St. Charles

**Description:** Potential relocation of licensed marijuana dispensary requires special use permit. No construction will take place on site other than interior remodeling and cosmetic exterior changes such as color scheme, lighting and signage.

### Natural Resource Review Results

#### Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

**Consultation is terminated.** This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary. Termination does not imply IDNR's authorization or endorsement.

#### Location

The applicant is responsible for the accuracy of the location submitted for the project.

**County:** Kane

**Township, Range, Section:**  
40N, 8E, 25



#### **IL Department of Natural Resources Contact**

Adam Rawe  
217-785-5500  
Division of Ecosystems & Environment

#### **Government Jurisdiction**

St. Charles Zoning Board  
Russell Colby, Community Development  
Division Mgr  
2 East Main St  
St. Charles, Illinois 60174

#### **Disclaimer**

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

## **Terms of Use**

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

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Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

## **Privacy**

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.



<b>EcoCAT Receipt</b>	<b>Project Code</b> 2109669
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<b>APPLICANT</b>	<b>DATE</b>
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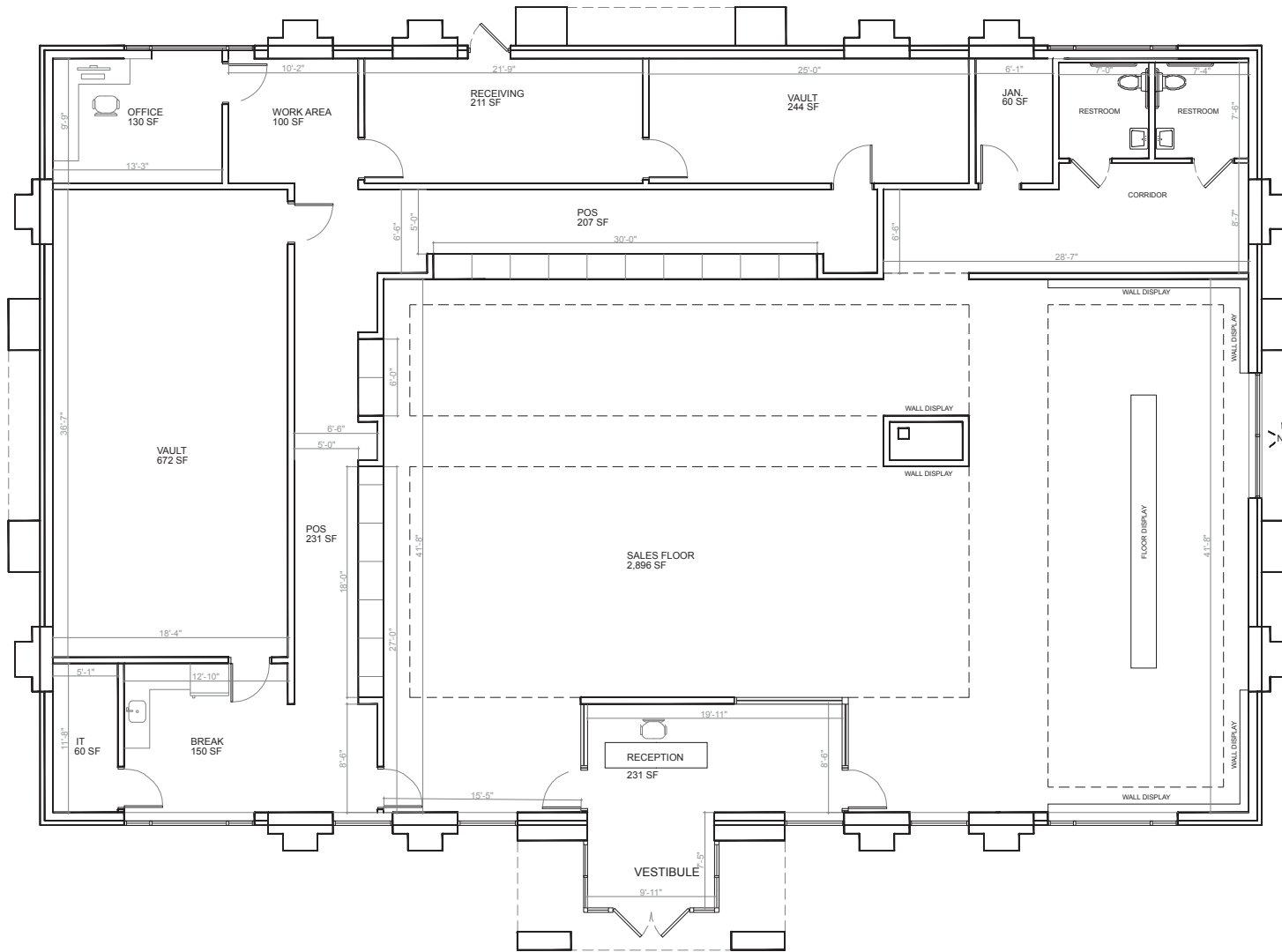
Healthway Services of West Illinois, LLC Chris Fotopoulos 415 N. DearbornSt. 4th Floor Chicago, IL 60654	1/22/2021
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<b>DESCRIPTION</b>	<b>FEE</b>	<b>CONVENIENCE FEE</b>	<b>TOTAL PAID</b>
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EcoCAT Consultation	\$ 125.00	\$ 2.81	\$ 127.81
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TOTAL PAID \$ 127.81

Illinois Department of Natural Resources  
One Natural Resources Way  
Springfield, IL 62702  
217-785-5500  
[dnr.ecocat@illinois.gov](mailto:dnr.ecocat@illinois.gov)



ADDRESS:  
MAIN ST., STCHARLES, IL

DRAWING:  
PROPOSED  
FLOOR  
PLAN

PROJECT:  
CANNABIS  
DISPENSARY

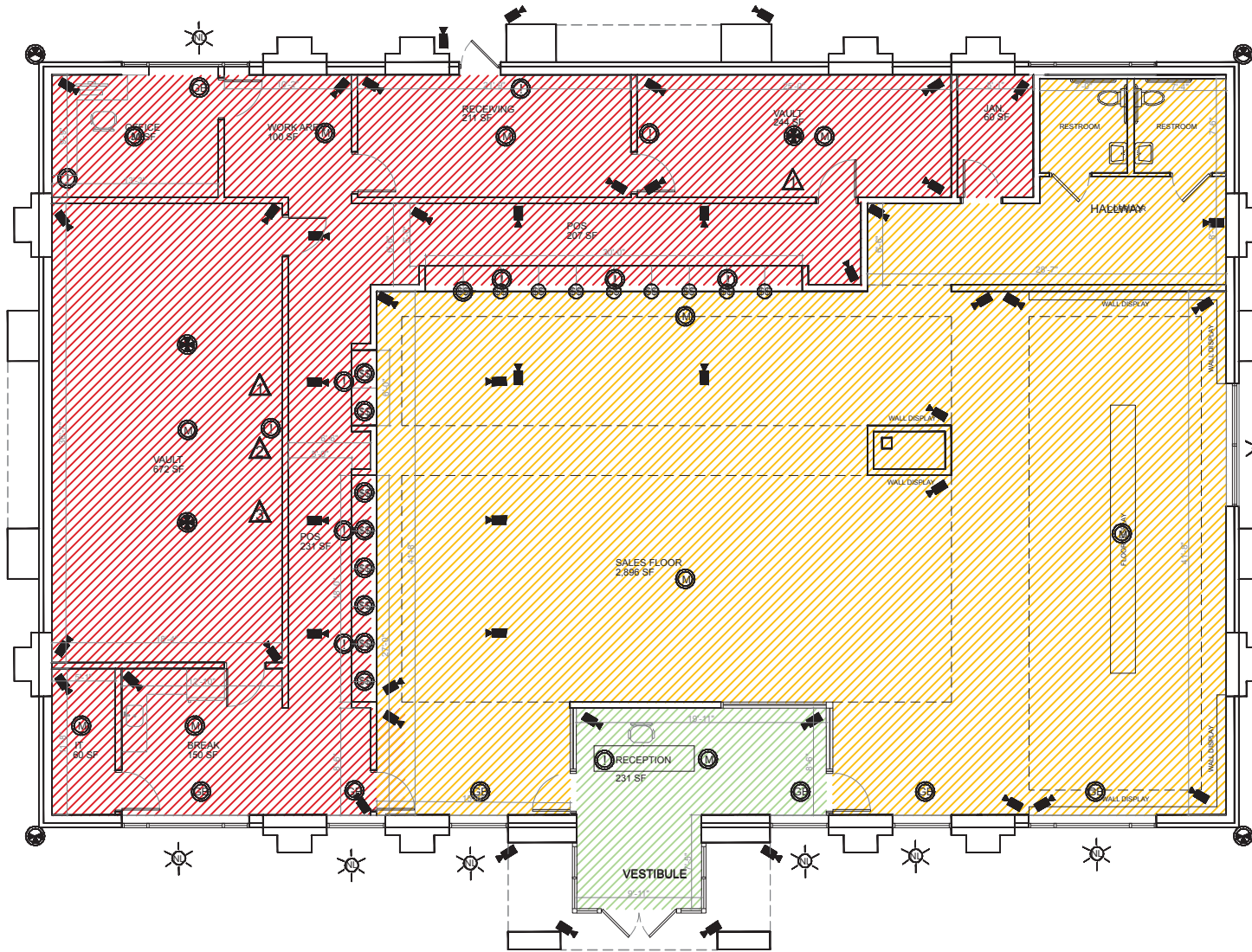
CLIENT:  
-

INTENT:  
-

VERSION:  
1 ORIGINAL DATE:  
1/15/2021  
REVISION DATE:  
1/15/2021

RENOVATION

# **SECURITY PLAN**



- NATURAL LIGHTING WINDOW WALL
- ALL PRODUCT IS STORED IN THE VAULT DURING NON-BUSINESS HOURS. VAULT DIMENSIONS ARE LABELED ON FLOOR PLAN. VAULT AREA IS 266 SF
- PRODUCT IS STORED IN THE FULFILLMENT AREA DURING BUSINESS HOURS IN LOCKING ROLLING CABINETS/CARTS. THESE ARE ROLLED INTO THE VAULT FOR NON BUSINESS HOURS STORAGE.
- LOCATION OF CASH SAFE IN VAULT  
AMSEC DROP SAFE  
50"W x 110"H x 20"D  
ELECTRONIC PIN ACCESS
- PUBLIC ACCESS AREAS
- LIMITED ACCESS AREAS
- RESTRICTED ACCESS AREAS
- DIRECTIONAL CAMERA
- 360 CEILING MOUNTED CAMERA
- EXTERIOR MULTI-LENS CAMERA
- PANIC BUTTON
- GLASS BREAK SENSOR
- MOTION SENSOR
- POINT OF SALE STATION

**VERSION:** 1  
**ORIGINAL DATE:** 1/15/2021  
**REVISION DATE:** 1/15/2021  
**INTENT:** RENOVATION  
**CLIENT:** I  
**PROJECT:** CANNABIS DISPENSARY  
**DRAWING:** PROPOSED SECURITY PLAN  
**ADDRESS:** MAIN ST., ST. CHARLES, IL

