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

CONCEPT PLAN APPLICATION

RECEIVED
Received Date
St. Charles, IL
OCT 2 8 2014
CDD
Planning Division

CITYVIEW
Project Name: Lexington Club
Project Number: 2007 -PR- 022
Application Number: 2014 -AP- 037

To request review of a Concept Plan for a property, complete this application and submit it with all required attachments to the Planning Division.

When the application is complete and has been reviewed by City staff, we will schedule a Plan Commission review, as well as a review by the Planning and Development Committee of the City Council. While these are not formal public hearings, property owners within 250 ft. of the property are invited to attend and offer comments.

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.

1. Property Information:	Parcel Number (s): 09-27-303-001, 09-28-452-003, 09-28-476-008, 09-28-479-019, 09-28-477-003, 09-28-477-008, 09-28-478-011, 09-28-477-014 09-28-400-002, 09-28-400-003	
	Street Address (or common location if no address is assigned): 26 Acres at Mark and 9th Street, St. Charles, IL	
2. Applicant Information:	Name Lexington Homes, LLC	Phone (773) 360-0300
	Address 1731 N. Marcey Street, #200 Chicago, IL 60614	Fax (773)360-0301
		Email brotolo@lexingtonchicago.com
3. Record Owner Information:	Name Lexington Homes, LLC	Phone (773) 360-0300
	Address 1731 N. Marcey Street, #200 Chicago, IL 60614	Fax (773)360-0301
		Email brotolo@lexingtonchicago.com
4. Billing: *To whom should costs for this application be billed?*	Name Lexington Homes, LLC	Phone (773) 360-0300
	Address 1731 N. Marcey Street, #200 Chicago, IL 60614	Fax (773)360-0301
		Email brotolo@lexingtonchicago.com

Zoning and Use Information:

Current zoning of the property: RM-2 PUD & RT-3PUD

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

Current use of the property: VACANT

Proposed zoning of the property: RT-3 PUD? YES

Proposed use of the property: SINGLE FAMILY

Comprehensive Plan Designation: ATTACHED SINGLE FAMILY & DETACHED SINGLE FAMILY

Attachment Checklist

- ☑ **APPLICATION:** Completed application form signed by the applicant

- ☐ **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 ½ 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.

- ☐ **AERIAL PHOTOGRAPH:**
  Aerial photograph of the site and surrounding property at a scale of not less than 1"=400', preferably at the same scale as the concept plan.

- ☐ **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. A pdf document file or files of all plans shall be required with each submittal. The number of paper plans required shall be as determined by the Director of Community Development, based upon the number of copies needed for review.

  Copies of Plans:

  - Initial Submittal - Fifteen ~~(15)~~ 12 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.

Concept Plans shall show:

1. Existing Features:
   - Name of project, north arrow, scale, date
   - Boundaries of property with approximate dimensions and acreage
   - Existing streets on and adjacent to the tract
   - Natural features including topography, high and low points, wooded areas, wetlands, other vegetative cover, streams, and drainage ways.
   - General utility locations or brief explanation providing information on existing sanitary sewer, storm sewer, water, and other utilities necessary to service the development.
2. Proposed Features:
   - Name of project, north arrow, scale, date
   - Boundaries of property with approximate dimensions and acreage
   - Site plan showing proposed buildings, pedestrian and vehicular circulation, proposed overall land use pattern, open space, parking, and other major features.
   - Architectural elevations showing building design, color and materials (if available)
   - General utility locations or brief explanation providing information on existing sanitary sewer, storm sewer, water, and other utilities necessary to service the development

☑ **SUMMARY OF DEVELOPMENT:**
Written information including:

- List of the proposed types and quantities of land use, number and types of residential units, building coverage, floor area for nonresidential uses and height of proposed buildings, in feet and number of stories.
- Statement of the planning objectives to be achieved and public purposes to be served by the development, including the rationale behind the assumptions and choices of the applicant
- List of anticipated exceptions or departures from zoning and subdivision requirements, if any

☐ **INCLUSIONARY HOUSING SUMMARY:** For residential developments, submit information describing how the development will comply with the requirements of Chapter 17.18, Inclusionary Housing.
N/A

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.

St. Charles-333 N. 6th St, LLC 10.28.2014 Ronald Benach, Manager

Record Owner Date

10.28.2014

Applicant or Authorized Agent Date

SUMMARY OF PROPOSED DEVELOPMENT

ST. CHARLES
SINCE 1834

Name of Development LEXINGTON CLUB

Number of years expected for build out 3-4 yrs

Acreage or Square Ft. Breakdown:

Area of residential development	17.61
Area of nonresidential development	
Area of private open space	6.70
Area of stormwater ponds/basins	3.00
Park land dedication	
School land dedication	
Total Acres	27.31

Residential Breakdown:

	Number of units
Single Family Detached:	112
Attached Single Family (Townhomes):	
Multi-Family:	
Other:	
Total Dwelling Units	112

Gross Density (Total D.U./Total Residential Acres)	4.10 D.U./AC.
Estimated Total Population (from Park Worksheet)	334
Estimated Student Population (from School Worksheet)	86

RESIDENTIAL ZONING COMPLIANCE TABLE
(SHT. 1 OF 2)

Name of Development: LEXINGTON CLUB

	Zoning District Requirement	Existing PUD Requirement (if applicable) RT-3	Proposed
	District: RT-3	Ordinance #: 2013-Z-2 S.F. PORTION	FOR ENTIRE SITE
Minimum Lot Area	5,000 S.F.	6160 S.F.	* 4284 MIN. 4620 TYP.
Minimum Lot Width	50 FT.	56 FT.	* 42 FT.
Maximum Building Coverage	1½ ST - 30% ↑ 1½ ST - 25%	* 45%	* 45%
Maximum Building Height	32 FT / 2 ST. LESSER	32 FT. / 2 ST. LESSER	37'-10" / 2 ST. * GREATER
Minimum Front Yard	20 FT.	20 FT.	20 FT.
Interior Side Yard	1½ ST - 5' / 10% LW ↑ 1½ ST - 6' / 10% LW	* 5' MIN / 10' TOTAL	1' MIN / 10' TOTAL *
Exterior Side Yard	15 FT.	15 FT.	15 FT. TYP. (10 FT. LOT 29)
Minimum Rear Yard	30 FT.	* 25 FT.	* 25
Yards Adjoining Major Arterials[1]	N.A.	N.A.	N.A.
% Overall Landscape Area TOTAL SITE	20%	20%	35.8%
Building Foundation Landscaping	N.A.	N.A.	N.A.
% Interior Parking Lot Landscape	N.A.	N.A.	N.A.
Landscape Buffer Yards[2]	N.A.	N.A.	N.A.
# of Parking spaces	2:1	4:1	4:1

* DENOTES DEVIATIONS. ALSO SEE SUPPLEMENTAL INFORMATION REGARDING SECTION 17.22.020-B.5 & B.6 REGARDING GARAGES

[1] For purposes of this Section, Major Arterials include Randall Road, Main Street west of Randall Road, Main Street East of Tyler Road, and Kirk Road.

[2] Within the zoning districts specified, a Landscape Buffer Yard shall be provided along any lot line that abuts or is across a street from property in any RE, RS, or RT District. See Chapter 17.26 for planting and screening requirements for Landscape Buffers.

RESIDENTIAL ZONING COMPLIANCE TABLE
(SHT. 2 OF 2)

Name of Development: LEXINGTON CLUB

	Zoning District Requirement	Existing PUD Requirement (if applicable)	SAME AS SHT. 1 OF 2
	District: RM-2	RM-2 Ordinance #: 2013-Z-2 T.H. PORTION	Proposed RT-3 FOR ENTIRE SITE
Minimum Lot Area	4300 SF/DU	* 3912 SF/DU	* 4284 MIN. 4620 TYP.
Minimum Lot Width	24 FT./DU	24 FT./DU	* 42 FT.
Maximum Building Coverage	35%	35%	* 45%
Maximum Building Height	35 FT./3 ST.	35 FT./2 ST.	* 37'-10" /2 ST.
Minimum Front Yard	20 FT.	* 15 FT. ON CORNER LOT WITH CONDITIONS	20 FT.
Interior Side Yard	10' EA.	* 9' EA.	* 1' MIN 10' TOTAL
Exterior Side Yard	20 FT.	* 15 FT.	15 FT. TYP. (10 FT. LOT 29)
Minimum Rear Yard	25 FT.	25 FT.	* 25 FT.
Yards Adjoining Major Arterials[1]	N.A.	N.A.	N.A.
% Overall Landscape Area TOTAL SITE	20%	20% ACTUAL GREATER	35.8%
Building Foundation Landscaping	YES.	PER APPROVED PLANS	N.A.
% Interior Parking Lot Landscape	NA	NA	NA
Landscape Buffer Yards[2]	NA	NA	NA
# of Parking spaces	2:1	4:1	4:1

* DENOTES DEVIATIONS. ALSO SEE SUPPLEMENTAL INFORMATION REGARDING SECTION 17.22.020-B.5 & B.6 REGARDING GARAGES.

[1] For purposes of this Section, Major Arterials include Randall Road, Main Street west of Randall Road, Main Street East of Tyler Road, and Kirk Road.

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PARK LAND/CASH WORKSHEET

City of St. Charles, Illinois

Name of Development: LEXINGTON CLUB
Date Submitted: PER 10-15-14 CONCEPT PLAN
Prepared by: JEN LAND LLC

ST. CHARLES
SINCE 1834

Type of Dwelling	*# Dwelling Units (DU)*	*Population Generation per Unit*	*Estimated Population*
Detached Single Family			
➢ 3 Bedroom	101	DU x 2.899	= 292.799
➢ 4 Bedroom	11	DU x 3.764	= 41.404
➢ 5 Bedroom		DU x 3.770	=
Attached Single Family			
➢ 1 Bedroom		DU x 1.193	=
➢ 2 Bedroom		DU x 1.990	=
➢ 3 Bedroom		DU x 2.392	=
➢ 4 Bedroom		DU x 3.145	=
Apartments			
➢ Efficiency		DU x 1.294	=
➢ 1 Bedroom		DU x 1.758	=
➢ 2 Bedroom		DU x 1.914	=
➢ 3 Bedroom		DU x 3.053	=

Totals 112 Total Dwelling Units — 334.203 Estimated Total Population

Park Site Requirements

Estimated Total Population 334.203 x .010 Acres per capita = 3.342 Acres

Cash in lieu of requirements -

Total Site Acres 3.342 x $240,500 (Fair Market Value per Improved Land) = $ 803,751

SCHOOL LAND/CASH WORKSHEET

City of St. Charles, Illinois

Name of Development	LEXINGTON CLUB
Date Submitted:	PER 10-15-14 CONCEPT PLAN
Prepared by:	JEN LAND LLC

ST. CHARLES
SINCE 1834

Estimated Student Yield by Grades

Type of Dwelling	*# of dwelling Units (DU)*	*Elementary (Grades K to 5)*		*Middle (Grades 6 to 8)*		*High (Grades 9 to 12)*	
Detached Single Family							
➢ 3 Bedroom	101	DU x .369	= 37.269	DU x .173	= 17.473	DU x .184	= 18.584
➢ 4 Bedroom	11	DU x .530	= 5.830	DU x .298	= 3.278	DU x .360	= 3.960
➢ 5 Bedroom		DU x .345	=	DU x .248	=	DU x .300	=
Attached Single Family							
➢ 1 Bedroom		DU x .000	=	DU x .000	=	DU x .000	=
➢ 2 Bedroom		DU x .088	=	DU x .048	=	DU x .038	=
➢ 3 Bedroom		DU x .234	=	DU x .058	=	DU x .059	=
➢ 4 Bedroom		DU x .322	=	DU x .154	=	DU x .173	=
Apartments							
➢ Efficiency		DU x .000	=	DU x .000	=	DU x .000	=
➢ 1 Bedroom		DU x .002	=	DU x .001	=	DU x .001	=
➢ 2 Bedroom		DU x .086	=	DU x .042	=	DU x .046	=
➢ 3 Bedroom		DU x .234	=	DU x .123	=	DU x .118	=
Totals	112 TDU		43.099 TE		20.751 TM		22.544 TH

School Site Requirements

Type	*# of students*	*Acres per student*	*Site Acres*
Elementary (TE)	43.099	x .025	= 1.077
Middle (TM)	20.751	x .0389	= 0.807
High (TH)	22.544	x .072	= 1.623
		Total Site Acres	3.507

Cash in lieu of requirements -

3.507 (Total Site Acres) x $240,500 (Fair Market Value per Improved Land) = $ 843,434

JEN LAND LLC
LAND PLANNING DESIGN CONSULTATION
P.O. BOX 4397 • OAK PARK, IL 60304
P/F 708.848.4350 • jen.land@sbcglobal.net

October 15,2014

Lexington Club / Concept Plan / Planning Summary

The Lexington Club is an approved 130 unit PUD containing 27.3 acres. The northeast approximate 5.7 acres is zoned RT-3 and is approved for 28 single family detached lots. The remaining 21.6 acres is zoned RM-2 and is approved for 102 attached single family (townhome) units.

The proposed Concept Plan contemplates amending the current PUD for a 112 unit all single family detached development on the entire site. The RM-2 portion of the property is proposed to be rezoned to RT-3 with certain deviations to the bulk standards from table 17.12-2 as shown in the Residential Zoning Compliance Table, some deviations of which have been previously granted on the approved plan. In addition, in order to accommodate the proposed product, deviations from section 17.22.02-B regarding Detached and Attached Garages Accessory to One and Two Family Dwellings is proposed for Item 5 to allow the width of a front facing attached garage to be 66.7% vs the required 50% of the overall width of the dwelling and item 6 to allow the proposed architectural elevation details as a substitute for requiring a front facing garage to be setback 5 ft. from the front of the main dwelling.

The prior approved plan demonstrated that utilities were both available and adequate to service the proposed development. The approved plan also included several planning elements that have been incorporated into the proposed Concept Plan as follows:

- The road pattern is almost identical to the approved plan
- The primary open space, stormwater management, and the State Street Creek preservation corridor areas are as engineered for the approved plan.
- The R.O.W. reservation along the west property line for the extension of Ryan Street to 12th Street has been relocated north as an extension of Mark Street.
- The pedestrian connections north to the railroad ROW, west to 12th Street and south to the park site are provided.

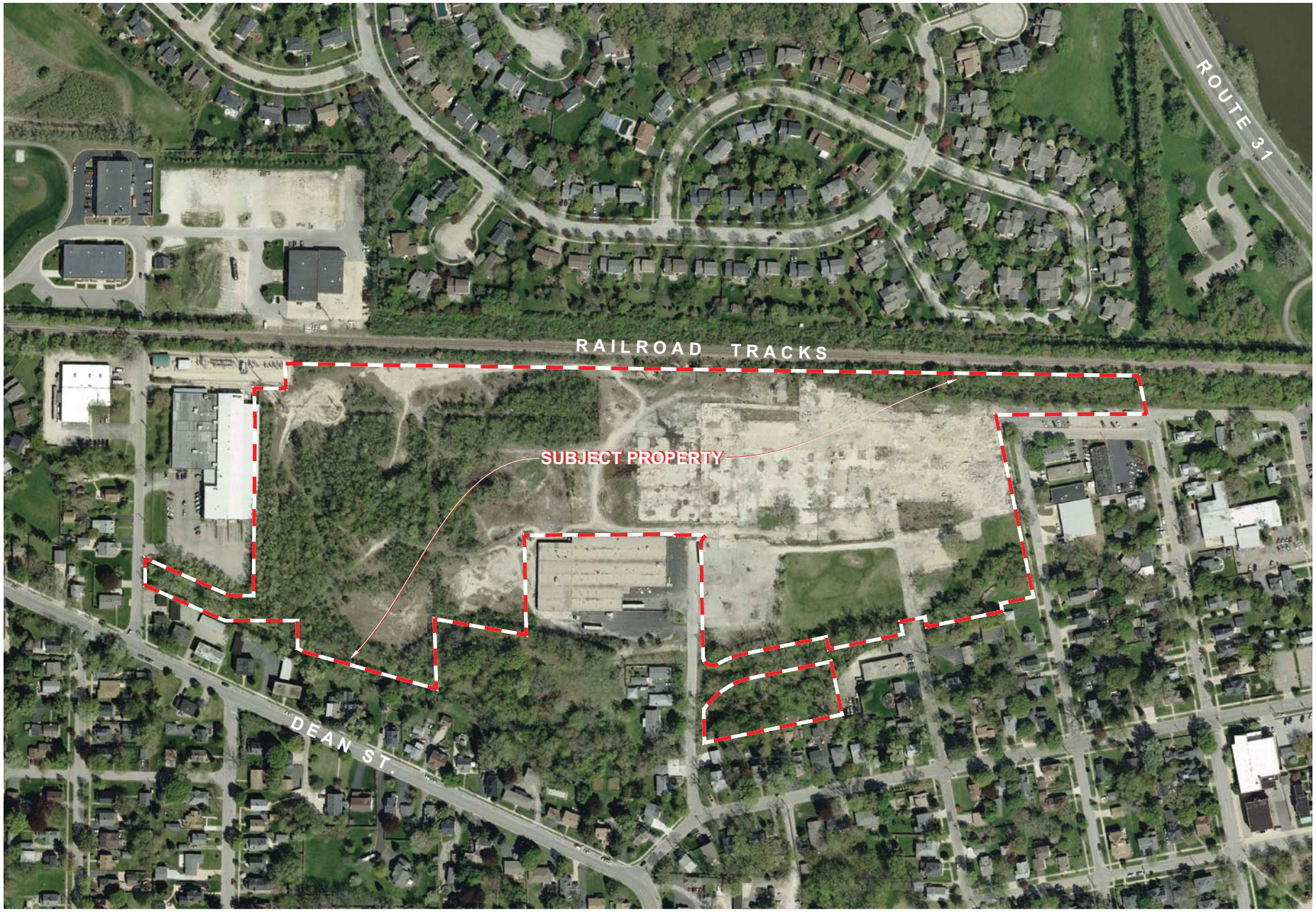
Lexington Club: St. Charles Single Family Homes

The new BSB Design unique home plans are designed for the way people are living today and want to advance in the future. New homeowners consisting of first time buyers, empty nesters, move-ups and millenial's are searching for homes that value quality over quantity and emphasize efficiency, new technology, comfort and sophisticated detail. The homes are designed in both plan and elevation to be better, not bigger.

Each plan offers a variety of open room concepts and features creative and distinct relationships that are conducive to individual change and flexibility. Designing with fewer hallways and unused traditional formal rooms, the new method of home designs offer definitive family gathering and social spaces that drive unique and adaptive solutions for personal expression.

The narrow lot plan with the forward aligned garage allows the social and private rooms of the home to be aligned in larger connected spaces rather than designed linearly adjacent to the garage. Pulling the garage forward allows the home to grow behind it in creative new ways; deemphasizing the plan location of the garage rather than accentuating it as a central component. These exceptional layouts feature captivating thematic elevations enabling the new homeowners to not only choose a plan for their lifestyle but also individualize their home's exterior. A variety of different historical and trend setting exterior elevation styles are provided for each home design. With color, texture, detailed facades, multiple fenestration and door patterns, usable front porches and high quality material choices the streetscape will be diverse, uncommon and inventive. The individuality expressed through the creative plans and elevations will create a truly walkable and livable pedestrian friendly environment.

1540 East Dundee Road Suite 310 Palatine, IL 60074 P: 847 705 2200 F: 877 283 0404 E: info@bsbdesign.com bsbdesign.com



NORTH

Scale: 1" = 100'

No.	Date	Revision

HAEGER ENGINEERING
consulting engineers • land surveyors
130 N. Main Street, Batavia, IL 60510 • Tel. 630.879.1550 • Fax: 630.879.0888
Illinois Professional Design Firm License No. 184-003132
www.haegerengineering.com

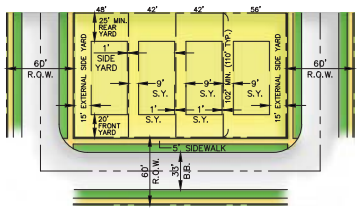
AERIAL PHOTO EXHIBIT

LEXINGTON CLUB
LEXINGTON HOMES
ST. CHARLES, ILLINOIS

Project Manager:	L A K
Engineer:	T J B
Date:	10/16/2014
Project No.	14189
Sheet	1/1

© Haeger Engineering, LLC

Plot Date: Oct 17, 2014 - 3:28pm Plotted By: kn-b.
File Name: P:\2014\14189\Drawings\Exhibits\14189 - Aerial Photo Exhibit.dwg



Typical Lot Details

Scale 1"=50'

Note–All external side yards are 15 feet except Lot 29, which is 10 feet.

Site Data

	Acres	Percent
Total Area*	27.31	100.00
Public R.O.W.	4.94	18.09
Private Road	0.27	0.99
Open Space	9.70	35.52
Area in Lots	12.40	45.40

Total Number of Lots = 112
Gross Density = 4.10 D.U./Ac.

Minimum Lot Size = 4,284 Sq. Ft. (42x102)
Typical Lot Size = 4,620 Sq. Ft. (42x110)
Average Lot Size = 4,823 Sq. Ft.

*Note:
Total Area includes 0.45 Ac. In Ryan Street Storm-water Detention Easement

JEN LAND LLC
LAND PLANNING DESIGN CONSULTATION
P.O. BOX 4397 • OAK PARK, IL 60304
P/F 708.848.4350 • www.jenland.com

Concept Plan
LEXINGTON CLUB
St. Charles, Illinois

Lexington Homes
1731 N. Marcey St., Suite 200
Chicago, IL 60614
(773) 360-0300

Revisions
10-15-14

Job # 2314
Date 8-12-14
Scale 1"=100'

Typical Streetscape

Lexington Club
St. Charles, IL

Lexington Homes

bsbdesign.com

The drawings presented are illustrative of character and design intent only, and are subject to change based upon final design considerations (i.e., applicable codes, ordinances, and MEP design requirements, unit plan / floor plan changes, etc.)

08-29-2014

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BSB DESIGN

Craftsman

Front Elevation

SCALE: 1/4"=1'-0"

Unit A

Lexington Club

St. Charles, IL

Lexington Homes

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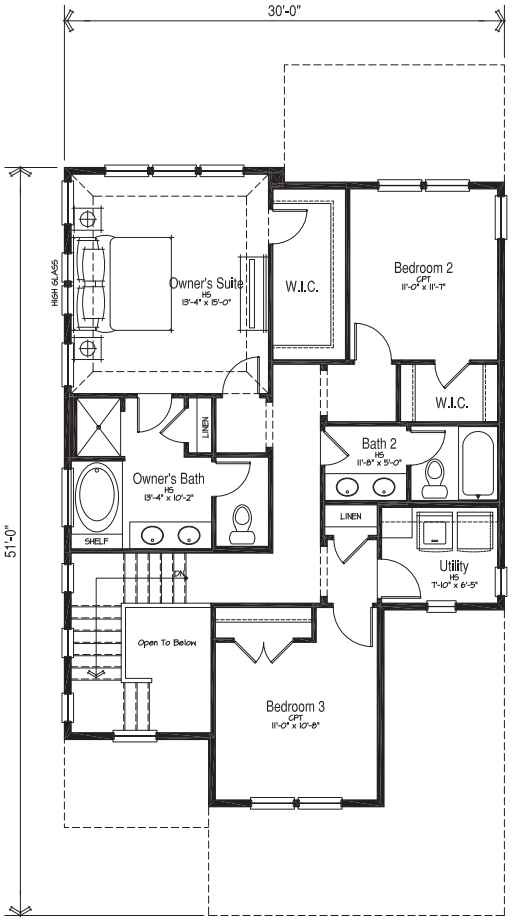
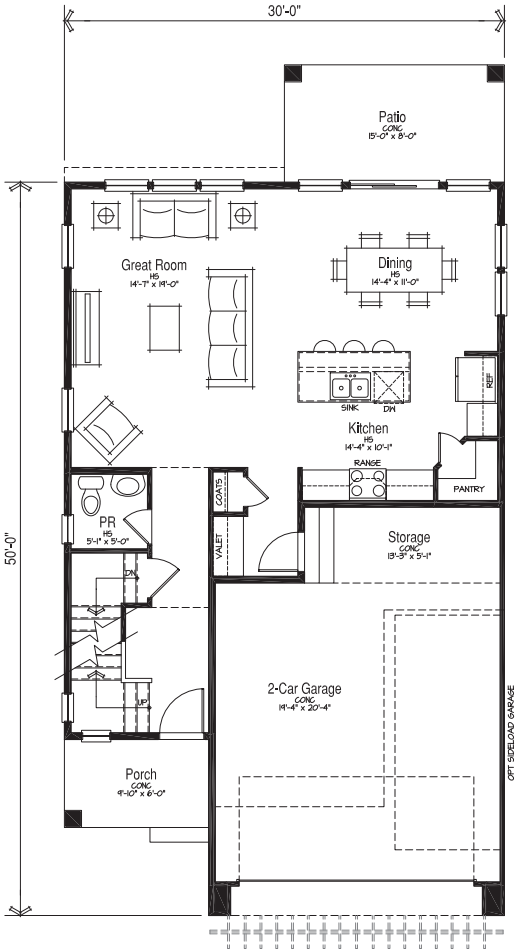


Upper Floor Plan

SCALE: 1/4"=1'-0"



Main Floor Plan

SCALE: 1/4"=1'-0"

Unit A: 1875 S.F.

Lexington Club

St. Charles, IL

Lexington Homes

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08-29-2014

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BSB DESIGN

Classical
Front Elevation
SCALE: 1/8"=1'-0"

Classical (SL)
Front Elevation
SCALE: 1/8"=1'-0"

Unit B

Lexington Club
St. Charles, IL

Lexington Homes

bsbdesign.com

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08-29-2014

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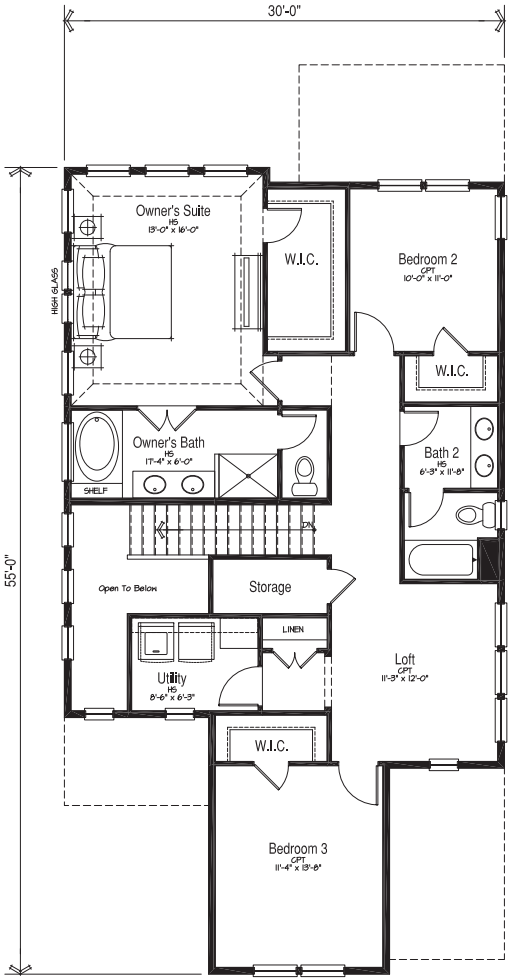
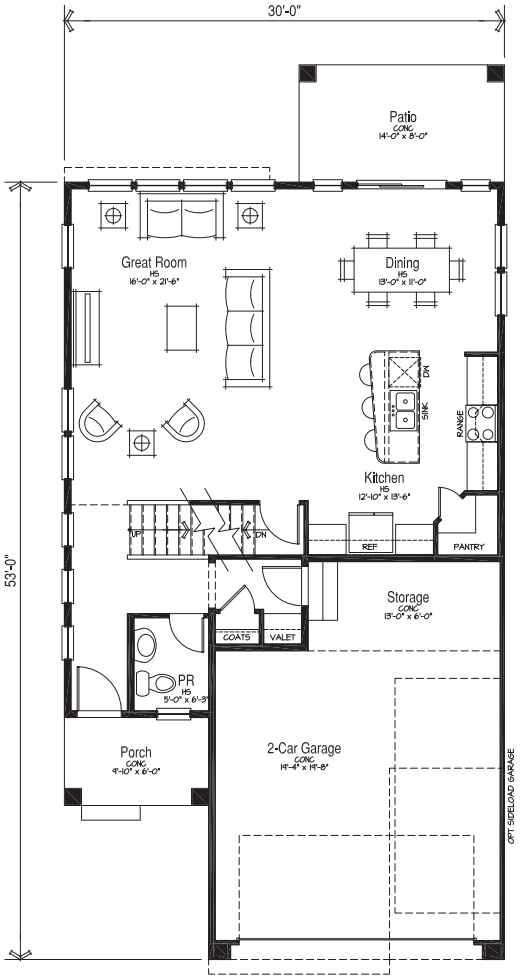


Upper Floor Plan

SCALE: 1/4"=1'-0"



Main Floor Plan

SCALE: 1/4"=1'-0"

Unit B: 2148 S.F.

Lexington Club

St. Charles, IL

Lexington Homes

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BSB DESIGN

Shingle (SL)
Front Elevation
SCALE: 1/4"=1'-0"

Shingle
Front Elevation
SCALE: 1/4"=1'-0"

Unit C1

Lexington Club
St. Charles, IL

Lexington Homes

bsbdesign.com

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08-29-2014

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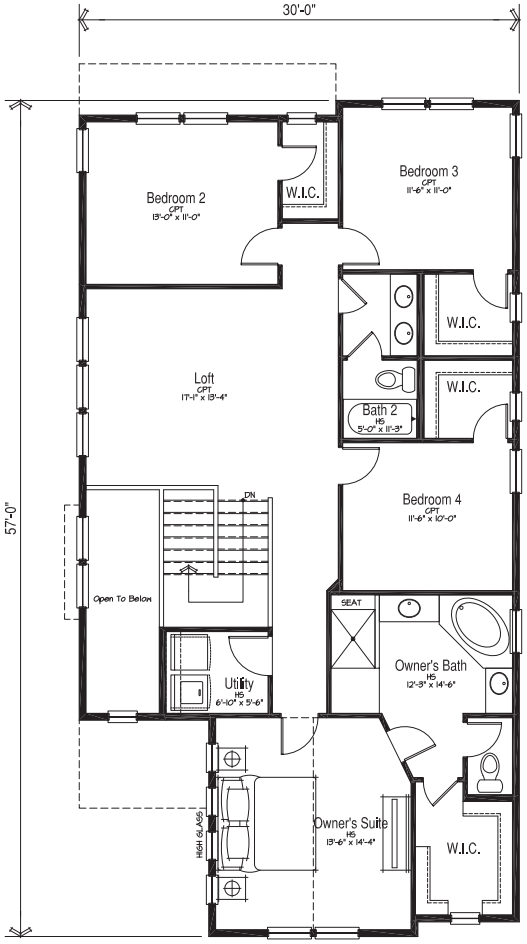
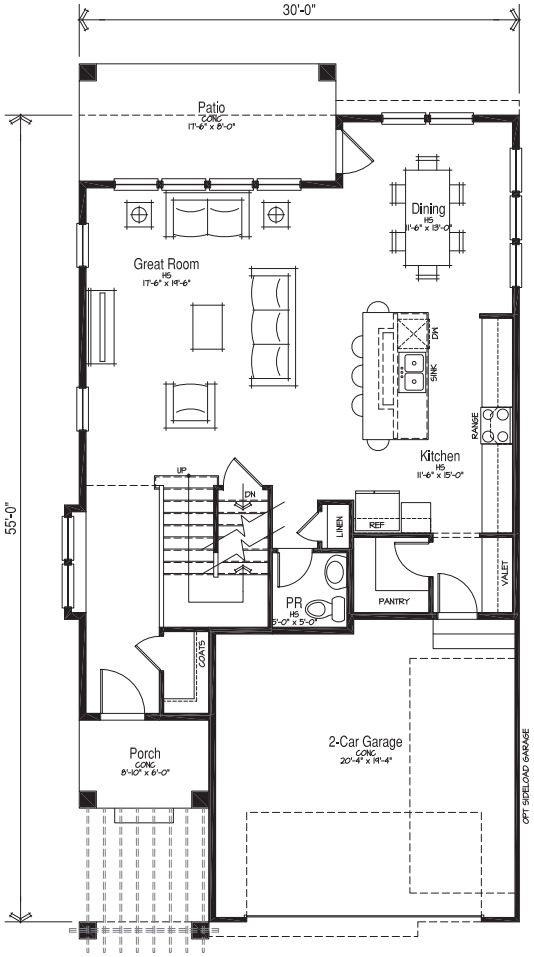


Upper Floor Plan

SCALE: 1/4"=1'-0"



Main Floor Plan

SCALE: 1/4"=1'-0"

Unit C1: 2431 S.F.

Lexington Club

St. Charles, IL

Lexington Homes

bsbdesign.com

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08-29-2014

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BSB DESIGN

English Country
Front Elevation
SCALE: 1/4"=1'-0"

Unit C2

Lexington Club
St. Charles, IL

Lexington Homes

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08-29-2014

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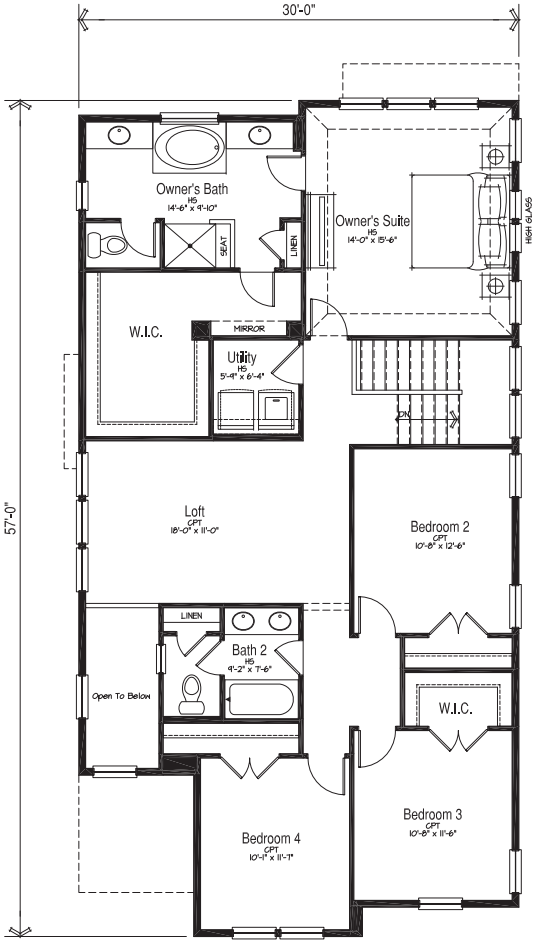
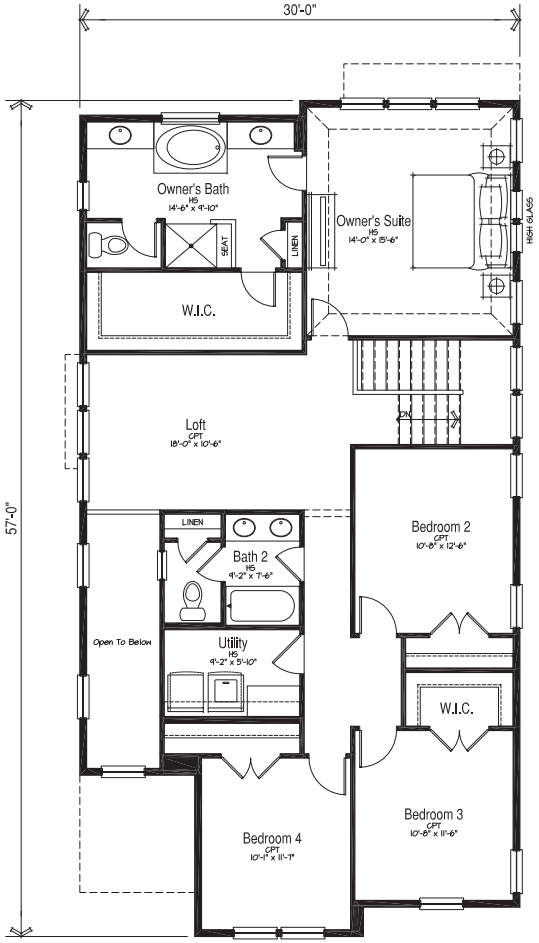


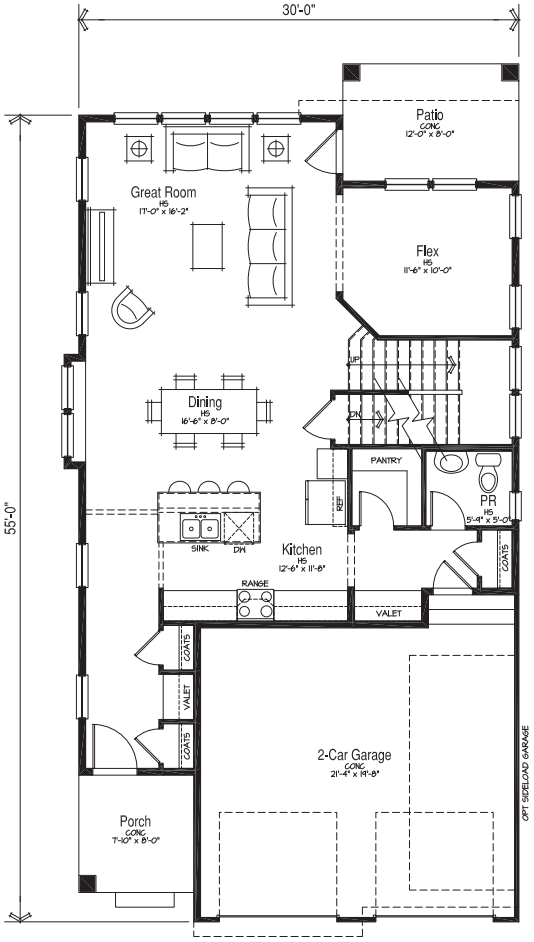
Alt Upper Floor Plan

SCALE: 1/4"=1'-0"



Upper Floor Plan

SCALE: 1/4"=1'-0"



Main Floor Plan

SCALE: 1/4"=1'-0"

Unit C2: 2494 S.F.

Lexington Club

St. Charles, IL

Lexington Homes

bsbdesign.com

The drawings presented are illustrative of character and design intent only, and are subject to change based upon final design considerations (i.e. applicable codes, structural, and MEP design requirements, unit plan / floor plan changes, etc.)

08-29-2014

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BSB DESIGN

French Country
Front Elevation
SCALE: 1/4"=1'-0"

French Country (SL)
Front Elevation
SCALE: 1/4"=1'-0"

Unit D

Lexington Club
St. Charles, IL

Lexington Homes

bsbdesign.com

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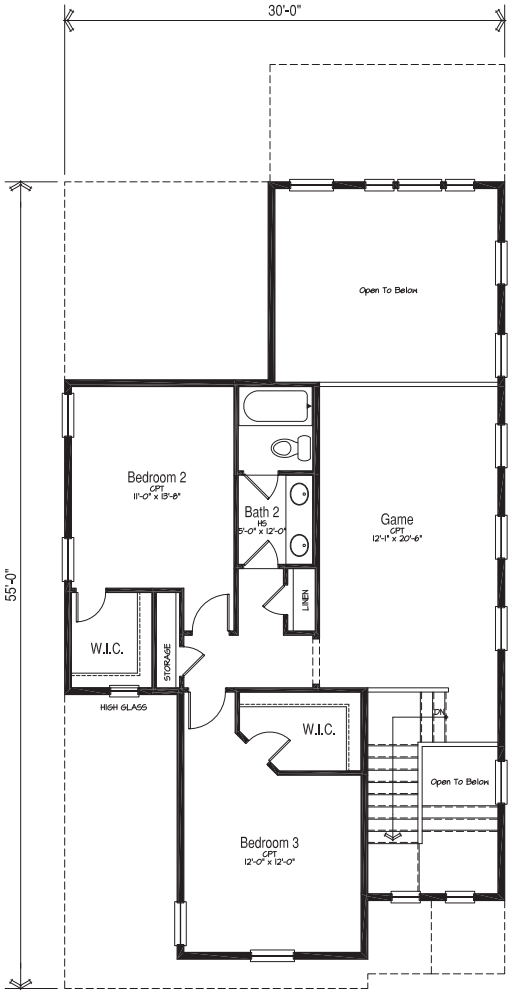
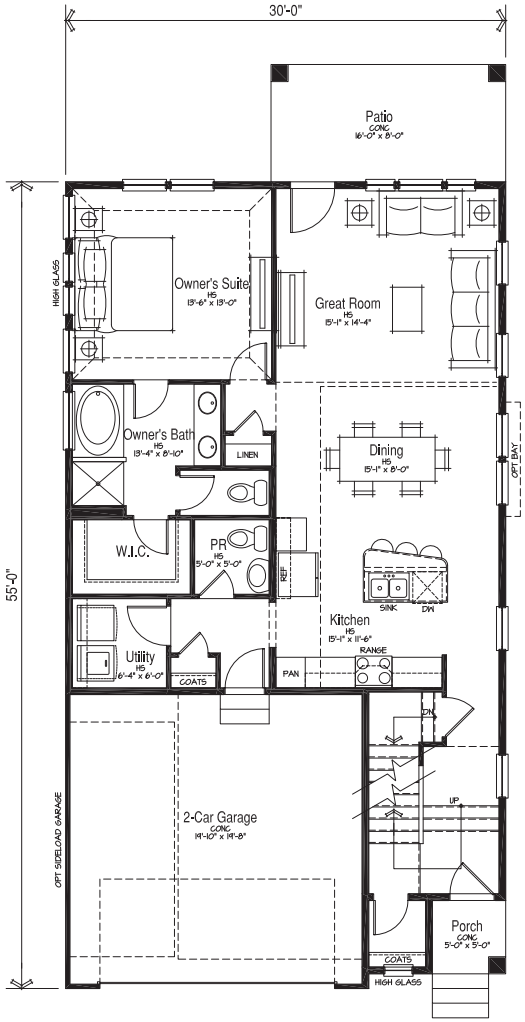


Upper Floor Plan

SCALE: 1/4"=1'-0"



Main Floor Plan

SCALE: 1/4"=1'-0"

Unit D: 2098 S.F.

Lexington Club

St. Charles, IL

Lexington Homes

bsbdesign.com

The drawings presented are illustrative of character and design intent only, and are subject to change based upon final design considerations (i.e. applicable codes, structural, and MEP design requirements, unit plan / floor plan changes, etc.)

08-29-2014

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BSB DESIGN

Unit C1 | Unit A | Unit B | Unit C1 | Unit D (SL) | Unit C2 | Unit D | Unit B

Typical Streetscape

Lexington Club

St. Charles, IL

Lexington Homes

bsbdesign.com

The drawings presented are illustrative of character and design intent only, and are subject to change based upon final design considerations (i.e., applicable codes, ordinance, and MEP design requirements, unit plan / floor plan changes, etc.)

08-29-2014

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BSB DESIGN

Kenig, Lindgren, O'Hara, Aboona, Inc.

9575 West Higgins Road, Suite 400 | Rosemont, Illinois 60018
p: 847-518-9990 | f: 847-518-9987

MEMORANDUM TO: Bill Rotolo
Lexington Chicago

FROM: Javier Millan
Luay R. Aboona, PE

DATE: November 14, 2014

SUBJECT: Comparison of Site Traffic Generation

At the request of the City of St. Charles, Illinois, and at your direction, Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) prepared a trip generation comparison between the last reviewed plan and the most current plan. The last plan assumed 28 single-family homes and 102 multi-family homes. The new plan calls for 112 single-family homes.

Table 1 shows the estimated vehicle trip generation under the last reviewed plan.

Table 1
SITE-GENERATED TRAFFIC VOLUMES OF LAST REVIEWED PLAN

		Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			
ITE Land-Use Code	Type/Size	In	Out	Total	In	Out	Total	Daily
210	Single-Family – 28 units	7	22	29	21	12	33	322
230	Multi-Family – 102 units	8	44	52	41	20	61	654
	Total Trips:	**15**	**66**	**81**	**62**	**32**	**94**	**976**

Comparison of Site Traffic Generation for the Proposed The Lexington Club Development

The current plan now proposes only 112 single family homes. **Table 2** shows the estimated trip generation for the new plan.

Table 1
SITE-GENERATED TRAFFIC VOLUMES OF CURRENT PLAN

ITE Land-Use Code	Type/Size	Weekday A.M. Peak Hour In	Out	Total	Weekday P.M. Peak Hour In	Out	Total	Daily
210	Single-Family – 112 units	22	66	88	73	43	116	1,166
	Total Trips Previous Plan	**15**	**66**	**81**	**62**	**32**	**94**	**976**
	Difference	**7**	**0**	**7**	**11**	**11**	**22**	**190**

As can be seen, the proposed current plan will generate approximately seven (7) more total trips (in and out) during the morning peak hour and 22 more total trips (in and out) during the P.M. peak hour.

City of St. Charles, Illinois

Ordinance No. 2013-Z-2

Ordinance Granting Approval of Map Amendment, Special Use for a Planned Unit Development, and Approval of a PUD Preliminary Plan (Lexington Club PUD)

Adopted by the

City Council

of the

City of St. Charles

January 7, 2013

Published in pamphlet form by authority of the City Council of the City of St. Charles, Kane and Du Page Counties, Illinois, January 11, 2013

Nancy Garrison

City Clerk

(S E A L)

Pamphlet Form 01/14/13

01/07/13

City of St. Charles, Illinois
Ordinance No. 2013-Z-2

An Ordinance Granting Approval of Map Amendment, Special Use for a Planned Unit Development, and Approval of a PUD Preliminary Plan (Lexington Club PUD)

WHEREAS, on or about December 8, 2009, the Lexington Homes LLC ("Applicant") and St. Charles-333 North Sixth Street, LLC ("Record Owner") filed applications for (i) Map Amendment to rezone the property legally described on Exhibit "A" attached hereto and made a part hereof ("Single Family Parcel") from the M-1 Special Manufacturing District to the RT-3 Traditional Single Family Residential District and to rezone the property legally described on Exhibit "B" attached hereto and made a part hereof ("Townhome Parcel") from the M-1 Special Manufacturing District to the RM-2 Medium Density Multi-Family Residential District; (ii) Special Use for a Planned Unit Development so as to permit a residential development project on the property legally described on Exhibit "C" attached hereto and made a part hereof ("Subject Realty"), with deviations from the regulations of the St. Charles Zoning Ordinance; and (iii) PUD Preliminary Plan for the Subject Realty; and

WHEREAS, Notice of Public Hearing on said petitions for Map Amendment and Special Use for Planned Unit Development were published on or about July 30, 2011, in a newspaper having general circulation within the City, to-wit, the Kane County Chronicle newspaper, all as required by the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, pursuant to said notice, the Plan Commission conducted public hearings on or about August 16, 2011, September 20, 2011 and October 4, 2011(collectively, the "Public Hearing"), on said application in accordance with the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, at said Public Hearing, the Applicant presented testimony in support of said application and all interested parties were afforded an opportunity to be heard; and,

WHEREAS, on October 18, 2011, the Plan Commission made all required Findings of Fact and forwarded them to the City Council together with its recommendation that the relief requested in said petitions be approved subject to the conditions stated therein; and,

WHEREAS, the Planning & Development Committee of the City Council recommended approval of said applications subject to conditions on or about May 14, 2012; and,

WHEREAS, the City Council of the City of St. Charles has received the recommendations of the Plan Commission and Planning and Development Committee and has considered the same.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, as follows:

Section 1. The preambles set forth hereinabove are incorporated herein as substantive provisions of this Ordinance as though fully set out in this Section 1.

Section 2. That the Official Zoning Map of the City, which is on file in the Office of the City Clerk, is hereby amended by rezoning the property legally described in Exhibit "A" from the "M-1 Special Manufacturing District" to "RT-3 Traditional Single Family Residential District" and rezoning the property legally described in Exhibit "B" from the "M-1 Special Manufacturing District" to the "RM-2 Medium Density Multi-Family Residential District". Said rezoning is based upon Petitioner's application and the evidence presented at the Public Hearing. The City Council hereby finds that the Zoning Map Amendments are in the public interest and adopts the Findings of Fact set forth on Exhibit "D-1" which is attached hereto and incorporated herein.

Section 3. That a Special Use for a Planned Unit Development is hereby granted for the Subject Realty, pursuant to the provisions of Title 17 of the St. Charles Municipal Code, as amended. Based upon the Petitioner's application and the evidence presented at the Public Hearing, the City Council hereby finds that the Planned Unit Development is in the public interest and adopts the Findings of Fact set forth on Exhibit "D-2", which is attached hereto and incorporated herein.

Section 4. That passage and approval of this Ordinance shall constitute approval of the PUD Preliminary Plan, consisting of the following documents:

- Preliminary Site Plan prepared by BSB Design dated 4/18/12
- Preliminary Subdivision Plans prepared by TFW Surveying & Mapping Inc. dated 12/17/10 and last revised 9/6/12
- Preliminary Engineering Plans prepared by Wills Burke Kelsey Associates Ltd. dated 12/17/10 and last revised 10/9/12
- Preliminary Landscape Plans prepared by Pugsley & Lahaie Ltd. dated 11/25/09 and last revised 4/18/12
- Preliminary Architectural Elevations prepared by BSB Design dated 7/21/11, including three sheets of Character Elevations for the detached single-family buildings and two sheets of Character Elevations for the attached single family buildings.

reduced copies of which are attached hereto and incorporated herein as Exhibit "E" (PUD Preliminary Plan), subject to the terms, conditions and restrictions set forth herein and subject to compliance with such conditions, corrections, and modifications as may be required by the Director of Community Development and the Director of Public Works to comply with the requirements of the St. Charles Municipal Code.

Section 5. The Subject Realty shall be developed only in accordance with all ordinances of the City as now in effect and as hereafter amended (except as specifically varied herein), and subject to the terms, conditions and restrictions set forth herein, as follows:

a. Dwelling Units: A maximum of one-hundred thirty (130) dwelling units may be constructed on the Subject Realty, comprised of one-hundred two (102) attached single family dwellings on the Townhome parcel and twenty-eight (28) detached single-family dwellings on the Single Family Parcel.

b. Single Family Parcel: The development shall comply with the standards of the RT-3 zoning district, except that the following deviations are hereby approved:

   1. The maximum building coverage for one-and-one-half and two-story structures is hereby increased to 45%.
   2. The minimum interior side yard requirement is hereby reduced to 5 feet.
   3. The minimum rear yard requirement is hereby reduced to 25 ft.

c. Townhome Parcel: The development shall comply with the standards of the RM-2 zoning district, except that the following deviations are hereby approved:

   1. The minimum lot area per dwelling unit requirement is hereby reduced to 3,912 square feet.
   2. The minimum front yard requirement is hereby reduced to 15 ft. for corner or building end units, where the garage door for the unit faces the exterior side yard.
   3. The minimum interior side yard requirement is hereby reduced to 9 ft.
   4. The minimum exterior side yard requirement is hereby reduced to 15 ft.; however, no garage door shall be less than 20 ft. from the street right-of-way.

d. Design Review Standards and Guidelines: The development shall comply with the Design Review Standards and Guidelines of Chapter 17.06 of the Zoning Ordinance, and with the following conditions:

   1. Uniform building materials as required by Section 17.06.050(F)(3) of the Zoning Ordinance shall not be required for the townhome buildings, provided that the elevations otherwise conform to the PUD Preliminary Plans.
   2. In addition to the building materials requirements and restrictions listed in Section 17.06.050(F)(1) and 17.06.050(F)(2) of the Zoning Ordinance, all exterior siding materials on buildings constructed on the Subject Realty shall be cedar or equivalent wood or fiber cement siding and trim. Vinyl, aluminum or equivalent material shall not be used for siding or trim.
   3. All garage doors shall be "Designer Series" as shown on the PUD Preliminary Plans or an equivalent with comparable details and glass window panels.
   4. Detached Single-Family building elevations facing exterior side yards or pedestrian access ways (Lots 3, 4, 16, 17, 28 as shown in the PUD Preliminary Plan) shall include architectural detailing equivalent or better than the Character Side elevations shown in the PUD Preliminary Plans.
   5. The PUD Preliminary Plans have identified eight (8) character elevations for the detached single-family buildings and two (2) character elevations for the townhome buildings. The character elevation styles shall be interspersed such that a detached single-family building is not adjacent to more than one of the same

character elevation and the townhome buildings are approximately 50% of each character elevation.

6. Variations to the Character Elevations shown in the PUD Preliminary Plans may be reviewed and approved by the Director of Community Development as an Authorized Administrative Change in accordance with the provisions of Section 17.04.430.C of the Zoning Ordinance. Rearrangement/substitution of townhome unit types within the buildings shall be reviewed as an Administrative Change.

e. Landscaping

1. Perimeter site landscaping and all landscaping shown on common lots shall be reviewed as a part of the Final PUD Plan. All perimeter site landscaping, including any landscape bufferyards, shall be completed for each phase prior to the occupancy of any building, or portion thereof, in the phase.
2. Lot landscaping for the townhomes shall be reviewed as part of the building permit submittals.
3. Final Landscape Plans which provide comparable quality, quantity, and character but do not strictly comply with the Preliminary Plan may be reviewed and approved by the Director of Community Development as an Authorized Administrative Change in accordance with the provisions of Section 17.04.430.C of the Zoning Ordinance.

f. Owner's Association:

The Applicant will create one or more Owners Associations and create a Master Declaration of Covenants, Conditions & Restrictions that clearly identifies all responsibilities of the Owners Associations with respect to the use, maintenance and continued protection of common open space and improvements in the development, including, but not limited to, stormwater management facilities. The Declaration shall also regulate modifications to building architecture following the initial construction of the development. Such Declaration shall be in a form reasonably acceptable to the City and shall be recorded immediately following the recording of the Final Plat of Resubdivision for the Subject Realty.

g. School and Park Contributions:

The Applicant has agreed to convey, and the St. Charles Park District has agreed to accept, the .09-acre parcel fronting on 9th Street shown as Lot 59 on the PUD Preliminary Plan. The remainder of the Park and School contribution shall be provided as cash in lieu of land contribution in accordance with the provisions of Title 16 of the St. Charles Municipal Code, as the same may be amended from time to time. If the bedroom count used to calculate the initial cash contribution changes, the amount of the contribution shall be adjusted at the time of building permit.

h. Inclusionary Housing:

The Applicant has requested a deviation to the requirements of Chapter 17.18 of the Zoning Ordinance, Inclusionary Housing, to enable the development to begin construction without designating any affordable units or providing a fee-in-lieu contribution. The deviation request is hereby granted conditioned upon the Applicant executing and complying with the attached Affordable Housing Agreement, attached at Exhibit "F" for the duration of the project build out. In the event the Applicant fails to comply with the Affordable Housing Requirement at any time during the project build out, the requirements of Chapter 17.18 shall apply to the remaining housing units to be constructed.

i. Subdivision Improvements: The following shall be constructed as a part of the initial Land Improvements for the development:

1. Installation of a 10 inch water main as shown on the PUD Preliminary Plans (generally along Mark Street from 6th Street to 9th Street, along 9th Street south to State Street, continuing to the existing 10" water main near Dean Street, to complete a 10" water main loop through the development site). Following acceptance of the water main by the City, the City shall reimburse the Applicant for the actual cost to install the portion of the water main located offsite, including the cost to resurface existing streets which are not required to be reconstructed as a part of the development. Improvements to be reimbursed and the total maximum reimbursement shall be as specified in Exhibit G.
2. Full improvement of 9th Street from State Street north into the development site, improved to the same standards as the streets within the development, including curb and gutter, storm sewer, sidewalks, street trees, and street lighting.
3. Installation of a 5 ft. wide sidewalk on the north side of State Street, between 9th and 7th Streets, connecting to existing sidewalks at both intersections.
4. Installation of missing sidewalk segments on 7th Street north of State Street.

j. Off-site traffic contribution: Prior to the 65th occupancy permit, the applicant shall deposit with the City a cash contribution of $200,000 to be used for off-site street or intersection improvements, at the sole discretion of the City Council.

k. Ryan Street Right-of-Way: As a part of the Final Plat of Subdivision for the project, the City shall vacate the existing Ryan Street right-of-way located east of 9th Street and convey title of the property to the applicant. The City shall retain easements over any public utilities existing in the right-of-way.

l. Future Ryan Street extension: As a part of the Final Plat of Subdivision for the project, applicant shall dedicate right-of-way for a future Ryan Street extension at the western end of the site (shown on the PUD Preliminary Plans as Lot 54). This property shall be maintained by the Owner's Association for the development until such time the street is constructed and accepted by the City.

m. Access Easements: As a part of the Final Plat of Subdivision for the project, the applicant shall provide public access easements for pedestrian paths shown on the PUD Preliminary Plans (paths connecting Ryan Street to 12th Street, Ryan Street to the St. Charles Park District site, and the two paths connecting Mark Street to the railroad right-of-way).

n. Construction Route: Construction related traffic shall access the site by following a route from Main Street, to 9th Street, to State Street to 9th Street into the site. No construction traffic shall utilize Mark Street east of 5th Street; 5th, 6th or 7th Street south of the Subject Realty; or State Street east of 9th Street.

o. Site Cleanup: Complete demolition and clearing of debris and structures and environmental remediation of the property shall occur in accordance with a schedule to be mutually agreed upon by the parties, as set forth in a separate development agreement with the City.

p. The Applicant shall execute a Developer's Undertaking/Land Improvement Agreement in the City's standard form, and tender the security required therein prior to the recording of the Final Plat of Subdivision.

q. Stormwater Special Service Area: Following recording of the Final Plat of Subdivision, the City shall initiate the formation of a Special Service Area for the purpose of maintaining and repairing stormwater management facilities and other facilities serving the Subject Realty. The Record Owner shall not sell or transfer ownership of any portion of the Subject Realty until such Special Service Area has been established. Such Special Service Area shall be of perpetual duration with a maximum rate sufficient to provide for maintenance, repair, and reconstruction of such facilities. Such Special Service Area may provide for maintenance by the City in the event that stormwater management facilities or other facilities are not adequately maintained by the Owner or successors.

Section 6. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

Section 7. That this Ordinance shall become effective from passage, approval and publication in pamphlet form as provided by law.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 7th day of January, 2013.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 7th day of January, 2013.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 7th day of January, 2013.

Donald P. DeWitte, Mayor

Attest:

City Clerk

COUNCIL VOTE:
Ayes: 6
Nays: 5
Absent:
Abstain:

APPROVED AS TO FORM:

City Attorney

DATE: _____, 2013

EXHIBIT "A"
LEGAL DESCRIPTION OF SINGLE FAMILY PARCEL

PARCEL TO BE ZONED RT-3:
THAT PART OF THE SOUTHWEST 1/4 OF SECTION 27 AND THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF FIFTH STREET (STATE ROUTE 31) AS PLATTED IN THE CITY OF ST. CHARLES WITH THE SOUTH LINE OF A TRACT OF LAND DESCRIBED IN A WARRANTY DEED DATED JUNE 2, 1886, BETWEEN JOHN WARNE, AND OTHERS, AND THE MINNESOTA AND NORTHWESTERN RAILROAD COMPANY, FILED FOR RECORD IN THE RECORDER'S OFFICE OF KANE COUNTY ON JUNE 4, 1886, IN BOOK 243 ON PAGE 17; THENCE SOUTH 89 DEGREES 41 MINUTES 25 SECONDS WEST, BEING AN ASSUMED BEARING AND THE BASIS OF BEARINGS FOR THIS LEGAL DESCRIPTION, ALONG SAID LAST DESCRIBED SOUTH LINE, 362.12 FEET TO AN INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF 6TH STREET, AS DELINEATED ON THE PLAT OF T.E. RYAN'S ADDITION TO THE CITY OF ST. CHARLES, ACCORDING TO THE PLAT THEREOF RECORDED JULY 11, 1889 AS DOCUMENT NUMBER 24117, ALSO BEING THE POINT OF BEGINNING OF THIS LEGAL DESCRIPTION; THENCE SOUTH 11 DEGREES 43 MINUTES 06 SECONDS EAST ALONG SAID LAST DESCRIBED WEST RIGHT OF WAY LINE, 186.93 FEET; THENCE NORTH 89 DEGREES 11 MINUTES 00 SECONDS WEST, 610.92 FEET; THENCE SOUTH 86 DEGREES 11 MINUTES 29 SECONDS WEST, 58.19 FEET; THENCE NORTH 89 DEGREES 08 MINUTES 14 SECONDS WEST, 108.55 FEET TO AN INTERSECTION WITH THE NORTHERLY EXTENSION OF THE CENTER LINE OF 9TH STREET, AS DELINEATED ON THE PLAT OF MILLINGTON THIRD ADDITION TO ST. CHARLES, ACCORDING TO THE PLAT THEREOF RECORDED MAY 4, 1926 AS DOCUMENT NUMBER 272865; THENCE NORTH 00 DEGREES 55 MINUTES 11 SECONDS WEST ALONG SAID LAST DESCRIBED NORTHERLY EXTENSION, 120.17 FEET TO A POINT OF CURVATURE; THENCE WESTERLY ALONG A NON TANGENT CURVED LINE, CONCAVE NORTH, HAVING A RADIUS OF 101.50 FEET, AN ARC LENGTH OF 43.61 FEET (THE CHORD TO SAID CURVED LINE BEARS NORTH 74 DEGREES 51 MINUTES 47 SECONDS WEST, 43.28 FEET) TO A POINT OF REVERSE CURVATURE; THENCE WESTERLY ALONG A CURVED LINE, CONCAVE SOUTH, HAVING A RADIUS OF 130.00 FEET, AN ARC LENGTH OF 60.42 FEET (THE CHORD TO SAID CURVED LINE BEARS NORTH 75 DEGREES 52 MINUTES 06 SECONDS WEST, 59.88 FEET); THENCE NORTH 89 DEGREES 11 MINUTES 00 SECONDS WEST, 58.51 FEET; THENCE NORTH 00 DEGREES 49 MINUTES 00 SECONDS EAST, 140.96 FEET TO A POINT ON A LINE THAT IS 50.0 FEET SOUTH OF AND PARALLEL WITH THE CENTER LINE OF THE MAIN TRACK OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY (A.K.A. UNION PACIFIC RAILROAD); THENCE SOUTH 89 DEGREES 11 MINUTES 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 932.55 FEET; THENCE SOUTH 00 DEGREES 49 MINUTES 00 SECONDS WEST, 97.84 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF A TRACT OF LAND DESCRIBED IN A WARRANTY DEED DATED JUNE 2, 1886 AFORESAID; THENCE SOUTH 89 DEGREES 41 MINUTES 25 SECONDS WEST ALONG SAID LAST DESCRIBED SOUTH LINE, 33.30 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

EXHIBIT "B"
LEGAL DESCRIPTION OF TOWNHOME PARCEL

PARCEL TO BE ZONED RM-2:
LOT 2 (EXCEPT THE SOUTHERLY 116 FEET), ALL OF LOTS 3 AND 4 IN BLOCK 2 OF T. E. RYAN'S ADDITION TO ST. CHARLES, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.
-- TOGETHER WITH --
LOTS 1, 2, 3, 4, 5, 6 AND 7 IN BLOCK 1 AND LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 AND 18 IN BLOCK 2; LOTS 1, 2, 3, 4, 5 AND 6 IN BLOCK 3 AND LOTS 1, 2, 3, 4, 5 (EXCEPT THAT PART OF LOT 5 CONVEYED BY DOCUMENT 1788487 RECORDED AUGUST 19, 1986) AND THE NORTH 30 FEET OF LOT 11 IN BLOCK 5, AND THAT PART OF VACATED NINTH STREET NORTH OF THE SOUTH LINE EXTENDED EASTERLY OF LOT 5 IN SAID BLOCK 5 AND VACATED MARK STREET, AND THE NORTH 1/2 OF VACATED RYAN STREET LYING EASTERLY OF THE WESTERLY LINE OF LOT 13, BLOCK 2 EXTENDED AND LYING WESTERLY OF THE WESTERLY LINE OF SEVENTH STREET, ALL IN MILLINGTON'S THIRD ADDITION TO ST. CHARLES, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.
-- TOGETHER WITH --
THAT PART OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE WEST LINE OF SAID SOUTHEAST 1/4 WITH THE NORTHERLY LINE OF DEAN STREET; THENCE SOUTH 66 DEGREES 13 MINUTES 00 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID DEAN STREET, 1043 FEET; THENCE NORTH 2 DEGREES 44 MINUTES 00 SECONDS EAST, 150 FEET (SAID POINT HEREINAFTER REFERRED TO AS POINT "A"); THENCE SOUTH 64 DEGREES 34 MINUTES 00 SECONDS EAST, 149.92 FEET; THENCE NORTH 01 DEGREES 31 MINUTES 00 SECONDS WEST, 62 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 01 DEGREES 31 MINUTES 00 SECONDS WEST, 651.43 FEET; THENCE SOUTH 89 DEGREES 45 MINUTES 00 SECONDS WEST, 135.80 FEET; THENCE NORTH, 7.90 FEET; THENCE SOUTH 89 DEGREES 20 MINUTES 00 SECONDS WEST, 282.40 FEET; THENCE SOUTH 00 DEGREES, 27 MINUTES, 10 SECONDS WEST 490.78 FEET; THENCE EAST, 106 FEET; THENCE SOUTH, 67.19 FEET TO A LINE DRAWN NORTH 64 DEGREES 34 MINUTES 00 SECONDS WEST FROM POINT "A" AFORESAID; THENCE SOUTH 64 DEGREES 34 MINUTES 00 SECONDS EAST, 19.73 FEET; THENCE SOUTH 74 DEGREES 16 MINUTES 30 SECONDS EAST, 327.76 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.
-- TOGETHER WITH --
THAT PART OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHEAST 1/4; THENCE EAST, 396.08 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST 1/4 TO A POINT 150 FEET NORTH OF THE NORTHERLY LINE OF DEAN STREET FOR THE POINT OF BEGINNING; THENCE SOUTH 66 DEGREES 13 MINUTES 00 SECONDS EAST, PARALLEL WITH THE NORTHERLY LINE OF DEAN STREET, 208.7 FEET (THIS COURSE HEREINAFTER REFERRED TO AS LINE "A") THENCE EAST, 69 FEET; THENCE NORTH 00 DEGREES 27 MINUTES 10 SECONDS EAST, 60 FEET; THENCE WEST, 56.84 FEET TO A LINE DRAWN PARALLEL WITH AND 60 FEET NORTHERLY OF, MEASURED AT RIGHT ANGLES THERETO, LINE "A" AFORESAID; THENCE NORTH 66 DEGREES 13 MINUTES 00 SECONDS WEST ALONG SAID PARALLEL LINE, 222.51 FEET TO A LINE DRAWN NORTH, PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST 1/4, FROM THE POINT OF BEGINNING; THENCE SOUTH ALONG SAID PARALLEL LINE, 65.57 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.
-- TOGETHER WITH --
THAT PART OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF BLOCK 2 OF MILLINGTON'S ADDITION TO THE TOWN OF ST. CHARLES; THENCE NORTH 11 DEGREES 37 MINUTES 00 SECONDS WEST ALONG THE EASTERLY LINE OF WEST SEVENTH STREET EXTENDED, 356 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 78 DEGREES 46 MINUTES 00 SECONDS EAST, 186.2 FEET TO THE WESTERLY LINE OF BLOCK 2 OF T. E. RYAN'S ADDITION TO ST. CHARLES; THENCE NORTH 11 DEGREES 48 MINUTES 00 SECONDS WEST

ALONG SAID WESTERLY LINE, 481.9 FEET TO THE SOUTH RIGHT OF WAY LINE OF THE CHICAGO AND GREAT WESTERN RAILWAY; THENCE SOUTH 89 DEGREES 30 MINUTES 00 SECONDS WEST ALONG SAID RIGHT OF WAY LINE TO THE NORTHEAST CORNER OF MILLINGTON'S THIRD ADDITION TO ST. CHARLES; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID MILLINGTON'S THIRD ADDITION TO THE SOUTHEAST CORNER OF BLOCK 2 IN SAID ADDITION; THENCE EASTERLY ALONG THE SOUTHERLY LINE EXTENDED EASTERLY OF SAID BLOCK 2 TO THE EASTERLY LINE OF WEST SEVENTH STREET EXTENDED; THENCE SOUTH 11 DEGREES 37 MINUTES 00 SECONDS EAST ALONG SAID EASTERLY LINE TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

-- TOGETHER WITH --

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF MILLINGTON'S THIRD ADDITION TO ST. CHARLES, ON THE NORTHERLY LINE OF DEAN STREET; THENCE NORTH 66 DEGREES 07 MINUTES 00 SECONDS WEST ALONG SAID NORTHERLY LINE OF DEAN STREET, 335.3 FEET TO THE SOUTHEAST CORNER OF THE TRACT OF LAND CONVEYED TO JULES VANOVERMEIREN BY DEED DATED DECEMBER 18, 1925, AND RECORDED DECEMBER 26, 1925 IN BOOK 788, PAGE 548, AS DOCUMENT 266367; THENCE NORTH ALONG THE EAST LINE AND THE EAST LINE EXTENDED OF SAID TRACT OF LAND, 174 FEET; THENCE NORTH 60 DEGREES 19 MINUTES 00 SECONDS WEST, 168.19 FEET; THENCE NORTH 01 DEGREES 29 MINUTES 00 SECONDS WEST, 188.59 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 01 DEGREES 29 MINUTES 00 SECONDS WEST, 479.71 FEET TO THE SOUTHERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND GREAT WESTERN RAILROAD COMPANY; THENCE NORTH 89 DEGREES 31 MINUTES 00 SECONDS EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 456.2 FEET TO THE NORTHWEST CORNER OF SAID MILLINGTON'S THIRD ADDITION; THENCE SOUTH 01 DEGREE EAST ALONG THE WEST LINE OF SAID ADDITION, 285 FEET; THENCE SOUTH 89 DEGREES 31 MINUTES 00 SECONDS WEST, 132 FEET; THENCE SOUTH 01 DEGREE 04 MINUTES 00 SECONDS EAST, 255.77 FEET TO A POINT SOUTH 80 DEGREES 02 MINUTES 00 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 80 DEGREES 02 MINUTES 00 SECONDS WEST, 325.65 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS, EXCEPTING THEREFROM THE FOLLOWING: THAT PART OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF MILLINGTON'S THIRD ADDITION TO ST. CHARLES, KANE COUNTY, ILLINOIS; THENCE SOUTH 1 DEGREE 04 MINUTES 00 SECONDS EAST ALONG THE WEST LINE OF SAID ADDITION, 285.0 FEET; THENCE SOUTH 89 DEGREES 31 MINUTES 00 SECONDS WEST, 132.0 FEET; THENCE SOUTH 01 DEGREES 04 MINUTES 00 SECONDS EAST PARALLEL WITH SAID WEST LINE 255.77 FEET FOR A POINT OF BEGINNING; THENCE NORTH 01 DEGREE 04 MINUTES 00 SECONDS WEST ALONG THE LAST DESCRIBED COURSE, 255.77 FEET; THENCE SOUTH 89 DEGREES 31 MINUTES 00 SECONDS WEST, 100.00 FEET; THENCE SOUTH 01 DEGREE 04 MINUTES 00 SECONDS EAST PARALLEL WITH SAID WEST LINE, 237.41 FEET TO A LINE DRAWN NORTH 80 DEGREES 06 MINUTES 00 SECONDS WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 80 DEGREES 06 MINUTES 00 SECONDS EAST, 101.86 FEET TO THE POINT OF BEGINNING (EXCEPT THAT PART CONVEYED BY DOCUMENT 1788487 RECORDED AUGUST 19, 1986), IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

-- TOGETHER WITH --

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 27 AND THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF FIFTH STREET (STATE ROUTE 31) AS PLATTED IN THE CITY OF ST. CHARLES WITH THE SOUTH LINE OF A TRACT OF LAND DESCRIBED IN A WARRANTY DEED DATED JUNE 2, 1886, BETWEEN JOHN WARNE, AND OTHERS, AND THE MINNESOTA AND NORTH WESTERN RAILROAD COMPANY, FILED FOR RECORD IN THE RECORDER'S OFFICE OF KANE COUNTY ON JUNE 4, 1886, IN BOOK 243 ON PAGE 17; THENCE WESTERLY ALONG THE SOUTH LINE BY SAID WARRANTY DEED, BEING ALONG THE SOUTH RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY, A DISTANCE OF 1857.64 FEET TO A JOG IN SAID SOUTH RIGHT OF WAY LINE; THENCE NORTHERLY ALONG SAID JOG, A DISTANCE OF 7.90 FEET; THENCE WESTERLY ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 282.85 FEET TO A JOG IN SAID SOUTH RIGHT OF WAY LINE; THENCE

NORTHERLY, ALONG SAID JOG, A DISTANCE OF 127.46 FEET TO A POINT ON A LINE THAT IS 50.0 FEET SOUTH OF AND PARALLEL WITH THE CENTER LINE OF THE MAIN TRACK OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY; THENCE EASTERLY ALONG SAID PARALLEL LINE, A DISTANCE OF 2126.02 FEET TO THE CENTER LINE OF 5TH STREET (STATE ROUTE 31) AS AFORESAID; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE, A DISTANCE OF 93.59 FEET TO THE POINT OF BEGINNING, BEING SITUATED IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS EXCEPTING THEREFROM THE FOLLOWING DESCRIBED LAND: THAT PART OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LAND CONVEYED TO THE CITY OF ST. CHARLES BY DOCUMENT NO. 910272, SAID POINT BEING 50.00 FEET NORMALLY DISTANT SOUTHERLY FROM THE UNION PACIFIC RAILROAD MAIN TRACK CENTER LINE; THENCE SOUTH 89 DEGREES 11 MINUTES EAST, 76.35 FEET, PARALLEL WITH SAID MAIN TRACK CENTER LINE; THENCE SOUTH 01 DEGREES 53 MINUTES EAST, 60.06 FEET, PARALLEL WITH THE EAST LINE OF SAID LAND CONVEYED BY DOCUMENT NO. 910272; THENCE NORTH 89 DEGREES 11 MINUTES WEST, 76.35 FEET TO THE SOUTHEAST CORNER OF SAID DOCUMENT NO. 910272; THENCE NORTH 01 DEGREE 53 MINUTES WEST, 60.06 FEET ALONG THE EAST LINE OF SAID DOCUMENT NO. 910272 TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

-- EXCEPTING THEREFROM ALL OF THE ABOVE --

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 27 AND THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF FIFTH STREET (STATE ROUTE 31) AS PLATTED IN THE CITY OF ST. CHARLES WITH THE SOUTH LINE OF A TRACT OF LAND DESCRIBED IN A WARRANTY DEED DATED JUNE 2, 1886, BETWEEN JOHN WARNE, AND OTHERS, AND THE MINNESOTA AND NORTHWESTERN RAILROAD COMPANY, FILED FOR RECORD IN THE RECORDER'S OFFICE OF KANE COUNTY ON JUNE 4, 1886, IN BOOK 243 ON PAGE 17; THENCE SOUTH 89 DEGREES 41 MINUTES 25 SECONDS WEST, BEING AN ASSUMED BEARING AND THE BASIS OF BEARINGS FOR THIS LEGAL DESCRIPTION, ALONG SAID LAST DESCRIBED SOUTH LINE, 362.12 FEET TO AN INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF 6TH STREET, AS DELINEATED ON THE PLAT OF T.E. RYAN'S ADDITION TO THE CITY OF ST. CHARLES, ACCORDING TO THE PLAT THEREOF RECORDED JULY 11, 1889 AS DOCUMENT NUMBER 24117, ALSO BEING THE POINT OF BEGINNING OF THIS LEGAL DESCRIPTION; THENCE SOUTH 11 DEGREES 43 MINUTES 06 SECONDS EAST ALONG SAID LAST DESCRIBED WEST RIGHT OF WAY LINE, 186.93 FEET; THENCE NORTH 89 DEGREES 11 MINUTES 00 SECONDS WEST, 610.92 FEET; THENCE SOUTH 86 DEGREES 11 MINUTES 29 SECONDS WEST, 58.19 FEET; THENCE NORTH 89 DEGREES 08 MINUTES 14 SECONDS WEST, 108.55 FEET TO AN INTERSECTION WITH THE NORTHERLY EXTENSION OF THE CENTER LINE OF 9TH STREET, AS DELINEATED ON THE PLAT OF MILLINGTON THIRD ADDITION TO ST. CHARLES, ACCORDING TO THE PLAT THEREOF RECORDED MAY 4, 1926 AS DOCUMENT NUMBER 272865; THENCE NORTH 00 DEGREES 55 MINUTES 11 SECONDS WEST ALONG SAID LAST DESCRIBED NORTHERLY EXTENSION, 120.17 FEET TO A POINT OF CURVATURE; THENCE WESTERLY ALONG A NON TANGENT CURVED LINE, CONCAVE NORTH, HAVING A RADIUS OF 101.50 FEET, AN ARC LENGTH OF 43.61 FEET (THE CHORD TO SAID CURVED LINE BEARS NORTH 74 DEGREES 51 MINUTES 47 SECONDS WEST, 43.28 FEET) TO A POINT OF REVERSE CURVATURE; THENCE WESTERLY ALONG A CURVED LINE, CONCAVE SOUTH, HAVING A RADIUS OF 130.00 FEET, AN ARC LENGTH OF 60.42 FEET (THE CHORD TO SAID CURVED LINE BEARS NORTH 75 DEGREES 52 MINUTES 06 SECONDS WEST, 59.88 FEET); THENCE NORTH 89 DEGREES 11 MINUTES 00 SECONDS WEST, 58.51 FEET; THENCE NORTH 00 DEGREES 49 MINUTES 00 SECONDS EAST, 140.96 FEET TO A POINT ON A LINE THAT IS 50.0 FEET SOUTH OF AND PARALLEL WITH THE CENTER LINE OF THE MAIN TRACK OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY (A.K.A. UNION PACIFIC RAILROAD); THENCE SOUTH 89 DEGREES 11 MINUTES 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 932.55 FEET; THENCE SOUTH 00 DEGREES 49 MINUTES 00 SECONDS WEST, 97.84 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF A TRACT OF LAND DESCRIBED IN A WARRANTY DEED DATED JUNE 2, 1886 AFORESAID; THENCE SOUTH 89 DEGREES 41 MINUTES 25 SECONDS WEST ALONG SAID LAST DESCRIBED SOUTH LINE, 33.30 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

EXHIBIT "C"

LEGAL DESCRIPTION OF SUBJECT REALTY

SUBJECT PROPERTY:
PARCEL ONE:
LOT 2 (EXCEPT THE SOUTHERLY 116 FEET); ALL OF LOTS 3 AND 4 IN BLOCK 2 OF T. E. RYAN'S ADDITION TO ST. CHARLES, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.
PARCEL TWO:
LOTS 1, 2, 3, 4, 5, 6 AND 7 IN BLOCK 1 AND LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 AND 18 IN BLOCK 2; LOTS 1, 2, 3, 4, 5 AND 6 IN BLOCK 3 AND LOTS 1, 2, 3, 4, 5 (EXCEPT THAT PART OF LOT 5 CONVEYED BY DOCUMENT 1788487 RECORDED AUGUST 19, 1986) AND THE NORTH 30 FEET OF LOT 11 IN BLOCK 5, AND THAT
PART OF VACATED NINTH STREET NORTH OF THE SOUTH LINE EXTENDED EASTERLY OF LOT 5 IN SAID BLOCK 5 AND VACATED MARK STREET, AND THE NORTH 1/2 OF VACATED RYAN STREET LYING EASTERLY OF THE WESTERLY LINE OF LOT 13, BLOCK 2 EXTENDED AND LYING WESTERLY OF THE WESTERLY LINE OF SEVENTH STREET, ALL IN MILLINGTON'S THIRD ADDITION TO ST. CHARLES, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.
PARCEL THREE:
THAT PART OF THE SOUTH EAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE WEST LINE OF SAID SOUTH EAST 1/4 WITH THE NORTHERLY LINE OF DEAN STREET; THENCE SOUTH 66 DEGREES, 13 MINUTES, 0 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID DEAN STREET 1043 FEET; THENCE NORTH 2 DEGREES, 44 MINUTES, 0 SECONDS EAST 150 FEET (SAID POINT HEREINAFTER REFERRED TO AS POINT "A"); THENCE SOUTH 64 DEGREES, 34 MINUTES, 0 SECONDS EAST 149.92 FEET; THENCE NORTH 1 DEGREES, 31 MINUTES, 0 SECONDS WEST, 62 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 1 DEGREES, 31 MINUTES, 0 SECONDS WEST, 651.43 FEET; THENCE SOUTH 89 DEGREES, 45 MINUTES, 0 SECONDS WEST 135.80 FEET; THENCE NORTH 7.90 FEET; THENCE SOUTH 89 DEGREES, 20 MINUTES, 0 SECONDS WEST 282.40 FEET; THENCE SOUTH 00 DEGREES, 27 MINUTES, 10 SECONDS WEST 490.78 FEET; THENCE EAST 106 FEET; THENCE SOUTH 67.19 FEET TO A LINE DRAWN NORTH 64 DEGREES, 34 MINUTES, 0 SECONDS WEST FROM POINT "A" AFORESAID; THENCE SOUTH 64 DEGREES, 34 MINUTES, 0 SECONDS EAST 19.73 FEET; THENCE
SOUTH 74 DEGREES, 16 MINUTES, 30 SECONDS EAST 327.76 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.
PARCEL FOUR:
THAT PART OF THE SOUTH EAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTH EAST 1/4; THENCE EAST 396.08 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID SOUTH EAST 1/4 TO A POINT 150 FEET NORTH OF THE NORTHERLY LINE OF DEAN STREET, FOR THE POINT OF BEGINNING; THENCE SOUTH 66 DEGREES, 13 MINUTES, 0 SECONDS EAST PARALLEL WITH THE NORTHERLY LINE OF DEAN STREET, 208.7 FEET (THIS COURSE HEREINAFTER REFERRED TO AS LINE "A") THENCE EAST 69 FEET; THENCE NORTH 0 DEGREES, 27 MINUTES, 10 SECONDS EAST 60 FEET; THENCE WEST 56.84 FEET TO A LINE DRAWN PARALLEL WITH AND 60 FEET NORTHERLY OF, MEASURED AT RIGHT ANGLES THERETO, LINE "A" AFORESAID; THENCE NORTH 66 DEGREES, 13 MINUTES, 0 SECONDS WEST ALONG SAID PARALLEL LINE, 222.51 FEET TO A LINE DRAWN NORTH, PARALLEL WITH THE WEST LINE OF SAID SOUTH EAST 1/4, FROM THE POINT OF BEGINNING; THENCE SOUTH ALONG SAID PARALLEL LINE 65.57 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.
PARCEL FIVE:
THAT PART OF THE SOUTH EAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF BLOCK 2 OF MILLINGTON'S ADDITION TO THE TOWN OF ST. CHARLES; THENCE NORTH 11 DEGREES, 37 MINUTES, 0 SECONDS WEST ALONG THE EASTERLY LINE OF WEST SEVENTH STREET EXTENDED, 356 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 78

DEGREES, 46 MINUTES, 0 SECONDS EAST 186.2 FEET TO THE WESTERLY LINE OF BLOCK 2 OF T. E. RYAN'S ADDITION TO ST. CHARLES; THENCE NORTH 11 DEGREES, 48 MINUTES, 0 SECONDS WEST ALONG SAID WESTERLY LINE 481.9 FEET TO THE SOUTH RIGHT OF WAY LINE OF THE CHICAGO AND GREAT WESTERN RAILWAY; THENCE SOUTH 89 DEGREES, 30 MINUTES, 0 SECONDS WEST ALONG SAID RIGHT OF WAY LINE TO THE NORTHEAST CORNER OF MILLINGTON'S THIRD ADDITION TO ST. CHARLES; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID MILLINGTON'S THIRD ADDITION TO THE SOUTHEAST CORNER OF BLOCK 2 IN SAID ADDITION; THENCE EASTERLY ALONG THE SOUTHERLY LINE EXTENDED EASTERLY OF SAID BLOCK 2 TO THE EASTERLY LINE OF WEST SEVENTH STREET EXTENDED; THENCE SOUTH 11 DEGREES, 37 MINUTES, 0 SECONDS EAST ALONG SAID EASTERLY LINE TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

PARCEL SIX:

THAT PART OF THE SOUTH EAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF MILLINGTON'S THIRD ADDITION TO ST. CHARLES, ON THE NORTHERLY LINE OF DEAN STREET; THENCE NORTH 66 DEGREES, 07 MINUTES, 0 SECONDS WEST ALONG SAID NORTHERLY LINE OF DEAN STREET 335.3 FEET TO THE SOUTHEAST CORNER OF THE TRACT OF LAND CONVEYED TO JULES VANOVERMEIREN BY DEED DATED DECEMBER 18, 1925, AND RECORDED DECEMBER 26, 1925 IN BOOK 788, PAGE 548, AS DOCUMENT 266367; THENCE NORTH ALONG THE EAST LINE AND THE EAST LINE EXTENDED OF SAID TRACT OF LAND 174 FEET; THENCE NORTH 60 DEGREES, 19 MINUTES, 0 SECONDS WEST, 168.19 FEET; THENCE NORTH 1 DEGREES, 29 MINUTES, 0 SECONDS WEST 188.59 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 1 DEGREES, 29 MINUTES, 0 SECONDS WEST 479.71 FEET TO THE SOUTHERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND GREAT WESTERN RAILROAD COMPANY; THENCE NORTH 89 DEGREES, 31 MINUTES, 0 SECONDS EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 456.2 FEET TO THE NORTHWEST CORNER OF SAID MILLINGTON'S THIRD ADDITION; THENCE SOUTH 1 DEGREE EAST ALONG THE WEST LINE OF SAID ADDITION 285 FEET; THENCE SOUTH 89 DEGREES, 31 MINUTES, 0 SECONDS WEST 132 FEET; THENCE SOUTH 1 DEGREES, 04 MINUTES, 0 SECONDS EAST 255.77 FEET TO A POINT SOUTH 80 DEGREES, 02 MINUTES, 0 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 80 DEGREES, 02 MINUTES, 0 SECONDS WEST 325.65 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS, EXCEPTING THEREFROM THE FOLLOWING: THAT PART OF THE SOUTH EAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF MILLINGTON'S THIRD ADDITION TO ST. CHARLES, KANE COUNTY, ILLINOIS; THENCE SOUTH 1 DEGREES, 04 MINUTES, 0 SECONDS EAST ALONG THE WEST LINE OF SAID ADDITION 285.0 FEET; THENCE SOUTH 89 DEGREES, 31 MINUTES, 0 SECONDS WEST 132.0 FEET; THENCE SOUTH 1 DEGREES, 04 MINUTES, 0 SECONDS EAST PARALLEL WITH SAID WEST LINE 255.77 FEET FOR A POINT OF BEGINNING; THENCE NORTH 1 DEGREES, 04 MINUTES, 0 SECONDS WEST ALONG THE LAST DESCRIBED COURSE 255.77 FEET; THENCE SOUTH 89 DEGREES, 31 MINUTES, 0 SECONDS WEST 100.00 FEET; THENCE SOUTH 1 DEGREES, 04 MINUTES, 0 SECONDS EAST PARALLEL WITH SAID WEST LINE 237.41 FEET TO A LINE DRAWN NORTH 80 DEGREES, 06 MINUTES, 0 SECONDS WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 80 DEGREES, 06 MINUTES, 0 SECONDS EAST 101.86 FEET TO THE POINT OF BEGINNING (EXCEPT THAT PART CONVEYED BY DOCUMENT 1788487 RECORDED AUGUST 19, 1986), IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

PARCEL SEVEN:

EASEMENT FOR PRIVATE ROADWAY RESERVED BY DEED RECORDED JULY 16, 1957, IN BOOK 1855, PAGE 119, AS DOCUMENT 839306, MADE BY HAWLEY PRODUCT COMPANY TO CARL E. SODERQUIST AND SONS FOR THE BENEFIT OF THE NORTH 30 FEET OF LOT 11 IN BLOCK 5 OF MILLINGTON'S THIRD ADDITION TO ST. CHARLES IN PARCEL TWO, OVER THAT PART OF THE SOUTH EAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF MILLINGTON'S THIRD ADDITION TO ST. CHARLES; THENCE SOUTH 1 DEGREE EAST ALONG THE WEST LINE OF SAID ADDITION 535 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 1 DEGREE EAST 30 FEET; THENCE NORTH 80 DEGREES, 02 MINUTES, 0 SECONDS WEST 134.45 FEET; THENCE NORTH 1 DEGREE WEST PARALLEL WITH THE WEST LINE OF SAID ADDITION

30 FEET; THENCE SOUTH 80 DEGREES, 02 MINUTES, 0 SECONDS EAST 134.45 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

PARCEL EIGHT:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 27 AND THE SOUTH EAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF FIFTH STREET (STATE ROUTE 31) AS PLATTED IN THE CITY OF ST. CHARLES WITH THE SOUTH LINE OF A TRACT OF LAND DESCRIBED IN A WARRANTY DEED DATED JUNE 2, 1886, BETWEEN JOHN WARNE, AND OTHERS, AND THE MINNESOTA AND NORTH WESTERN RAILROAD COMPANY, FILED FOR RECORD IN THE RECORDER'S OFFICE OF KANE COUNTY ON JUNE 4, 1886, IN BOOK 243 ON PAGE 17; THENCE WESTERLY ALONG THE SOUTH LINE BY SAID WARRANTY DEED, BEING ALONG THE SOUTH RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY, A DISTANCE OF 1857.64 FEET TO A JOG IN SAID SOUTH RIGHT OF WAY LINE; THENCE NORTHERLY ALONG SAID JOG, A DISTANCE OF 7.90 FEET; THENCE WESTERLY ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 282.85 FEET TO A JOG IN SAID SOUTH RIGHT OF WAY LINE; THENCE NORTHERLY, ALONG SAID JOG, A DISTANCE OF 127.46 FEET TO A POINT ON A LINE THAT IS 50.0 FEET SOUTH OF AND PARALLEL WITH THE CENTER LINE OF THE MAIN TRACK OF THE CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY; THENCE EASTERLY ALONG SAID PARALLEL LINE, A DISTANCE OF 2126.02 FEET TO THE CENTER LINE OF 5TH STREET (STATE ROUTE 31) AS AFORESAID; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE, A DISTANCE OF 93.59 FEET TO THE POINT OF BEGINNING, BEING SITUATED IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS EXCEPTING THEREFROM THE FOLLOWING DESCRIBED LAND

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LAND CONVEYED TO THE CITY OF ST. CHARLES BY DOCUMENT NO. 910272, SAID POINT BEING 50.00 FEET NORMALLY DISTANT SOUTHERLY FROM THE UNION PACIFIC RAILROAD MAIN TRACK CENTER LINE; THENCE SOUTH 89 DEGREES 11 MINUTES EAST, 76.35 FEET, PARALLEL WITH SAID MAIN TRACK CENTER LINE; THENCE SOUTH 1 DEGREES 53 MINUTES EAST, 60.06 FEET, PARALLEL WITH THE EAST LINE OF SAID LAND CONVEYED BY DOCUMENT NO. 910272; THENCE NORTH 89 DEGREES 11 MINUTES WEST, 76.35 FEET TO THE SOUTHEAST CORNER OF SAID DOCUMENT NO. 910272; THENCE NORTH 1 DEGREE 53 MINUTES WEST, 60.06 FEET ALONG THE EAST LINE OF SAID DOCUMENT NO. 910272 TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

EXHIBIT "D-1"

FINDINGS OF FACT FOR MAP AMENDMENT

Plan Commission recommendation shall be based upon the preponderance of the evidence presented and the Commission shall not be required to find each Finding of Fact in the affirmative to recommend approval of an application for Map Amendment.

1. The existing uses and zoning of nearby property.

   The property is surrounded by both residential and manufacturing uses and zoning. Areas to the north and south of the site are primarily residential. Areas to the east and west contain a mix of residential and industrial land uses.

2. The extent to which property values are diminished by the existing zoning restrictions.

   It is not known if the existing zoning restriction is diminishing property values in the area. Industrial uses are generally considered to be incompatible with single-family residential uses, which may cause property values surrounding the site to be diminished.

3. The extent to which the reduction of the property's value under the existing zoning restrictions promotes the health, safety, morals or general welfare of the public.

   The current zoning restriction has not produced any perceptible public benefits during the last 5 years that the property has remained vacant. The property is in a deteriorated state and is environmentally contaminated. Under the existing zoning, the property could be developed with industrial uses that may be incompatible with the surrounding neighborhood, which is primarily residential.

4. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property for one or more of the uses permitted under the existing zoning classification.

   The property is not well suited for industrial use. The property was originally used for industrial purposes because of its proximity to the railroad. The railroad line is no longer active and is in the process of abandonment. Access to the site requires use of minor streets and crossing through a residential neighborhood. The site has limited visibility from any arterial or collector street.

5. The length of time that the property has been vacant, as presently zoned, considered in the context of the land development in the area where the property is located.

   Applied Composites closed and vacated the property in 2005. The property has remained vacant. Some of the structures on the site were torn down in 2008 and other structures were recently demolished in 2011. The area surrounding the site is mostly developed.

6. The evidence, or lack of evidence, of the community's need for the uses permitted under the proposed district.

Higher quality and better suited industrial sites surrounded by similar land uses are available elsewhere in the community. The proximity of the property relative to the Downtown area makes the property more desirable for residential use.

7. The consistency of the proposed amendment with the City's Comprehensive Plan.

   In 2008 the City adopted an amendment to the Comprehensive Plan which designated a future land use for the site of "Medium Residential", with a gross density range of 2.5 to 6.5 dwelling units per acre. The proposed zoning districts of RT-2 (net 8.7 du/acre) and RM-2 (net 10 du/acre), after accounting for street rights-of-way and land for stormwater detention, will result in an overall gross density within the range recommended by the Comprehensive Plan.

8. Whether the proposed amendment corrects an error or omission in the Zoning Map.

   No, the proposed amendment does not correct an error or omission in the Zoning Map.

9. The extent to which the proposed amendment creates nonconformities.

   No non-conformities will be created by the Map Amendment.

10. The trend of development, if any, in the general area of the property in question.

    There is no perceptible trend of development in the area. The subject property represents a substantial portion of the land area of the neighborhood and has been vacant for 5 years. The neighborhood surrounding the site is otherwise stable.

EXHIBIT "D-2"

FINDINGS OF FACT FOR SPECIAL USE FOR PLANNED UNIT DEVELOPMENT

From the St. Charles Zoning Ordinance, Section 17.04.410.D.3:
The Plan Commission shall not favorably recommend, and the City Council shall not approve, a Special Use for a PUD or an amendment to a Special Use for a PUD unless they each make findings of fact based on the application and the evidence presented at the public hearing that the PUD is in the public interest, based on the following criteria:

1. The proposed PUD advances one or more of the purposes of the Planned Unit Development procedure stated in Section 17.04.400.A:

   1. To promote a creative approach to site improvements and building design that results in a distinctive, attractive development that has a strong sense of place, yet becomes an integral part of the community.

      The PUD Preliminary Plans provide for a modified grid street pattern connected to existing access locations. The development plan is more "suburban" in layout and building form than recommended in the Comprehensive Plan.

   2. To create places oriented to the pedestrian that promote physical activity and social interaction, including but not limited to walkable neighborhoods, usable open space and recreational facilities for the enjoyment of all.

      The PUD Preliminary Plans interconnect all existing streets that currently terminate at the site. Complete sidewalks systems connect with the existing sidewalk grid in the neighborhood. Off-site sidewalks will be constructed on 7th Street, 9th Street, and along State Street between 7th and 9th Street to complete the sidewalk grid between the site and the neighborhood. The PUD Preliminary Plans provide recreational facilities in the form of the pedestrian/bike path connections off site to a future regional trail on the railroad right-of-way, a trail to the St. Charles Park District park site, and a trail connecting to 12th Street.

   3. To encourage a harmonious mix of land uses and a variety of housing types and prices.

      The PUD provides residential land uses that are compatible with the adjacent residential neighborhood. The residential land uses are not compatible with isolated industrial properties that adjoin the site. However, the Comprehensive Plan recommends a future land use of "Medium Residential" for the properties at 229 N. 9th Street and 602 N. 12th Street.

      The PUD provides two different housing types within the site, but with limited variation within each category. The PUD does not provide any affordable residential units, which is a requirement of the Zoning Ordinance.

   4. To preserve native vegetation, topographic and geological features, and environmentally sensitive areas.

      The property has been previously developed. The PUD Preliminary Plans generally leave the State Street Creek and wooded areas south of the creek undisturbed.

5. To promote the economical development and efficient use of land, utilities, street improvements, drainage facilities, structures and other facilities.

   The PUD Preliminary Plans include engineering plans for infrastructure facilities to serve the site. The plans follow City Code requirements for subdivisions and stormwater management. The Illinois EPA will require that environmental contamination of the property be remediated prior to development for residential use.

6. To encourage redevelopment of sites containing obsolete or inappropriate buildings or uses.

   The Planned Unit Development will facilitate the redevelopment of a vacant site containing obsolete and deteriorated site improvements.

7. To encourage a collaborative process among developers, neighboring property owners and residents, governmental bodies and the community.

   Neighborhood meetings were held in 2006 and 2007 to consider the future land use of the subject property. A Comprehensive Plan amendment was reviewed and adopted by the City Council in 2008.

   Consideration of this development as a PUD has allowed a public hearing process and input from neighboring property owners and residents, governmental bodies, and the community. The PUD was discussed during Concept Plan review meetings before the Plan Commission and Planning and Development Committee of the City Council in 2008 and 2009. The Plan Commission held 2 public hearings to review the PUD.

2. The proposed PUD and PUD Preliminary Plans conform to the requirements of the underlying zoning district or districts in which the PUD is located and to the applicable Design Review Standards contained in Chapter 17.06, except where:

   A. Conforming to the requirements would inhibit creative design that serves community goals, or
   B. Conforming to the requirements would be impractical and the proposed PUD will provide benefits that outweigh those that would have been realized by conforming to the applicable requirements.

   Factors listed in Section 17.04.400.B shall be used to justify the relief from requirements:

   1. The PUD will provide community amenities beyond those required by ordinance, such as recreational facilities, public plazas, gardens, public art, pedestrian and transit facilities.

      The PUD Preliminary Plans provide recreational facilities in the form of the pedestrian/bike path connections off site to a future regional trail on the railroad right-of-way, a trail to the St. Charles Park District park site, and a trail connecting to 12th Street. Off-site sidewalks will be constructed on 7th Street, 9th Street, and State Street.

   2. The PUD will preserve open space, natural beauty and critical environmental areas in excess of what is required by ordinance or other regulation.

      The PUD Preliminary Plans will leave the wooded area south of State Street Creek mostly undisturbed.

   3. The PUD will provide superior landscaping, buffering or screening.

The PUD Preliminary Plans provide landscaping in compliance with the City's Zoning Ordinance. Landscape buffering is provided along the property lines adjoining existing industrial uses.

4. The buildings within the PUD offer high quality architectural design.

   The single-family detached houses are traditional in form as recommended by the Comprehensive Plan, however the buildings are uniform in terms of mass and orientation on the lot. Garages are set back from the façade and porches are provided on some elevations. The elevations have varied architectural style treatments.

   The townhome buildings are more suburban in form than recommended by the Comprehensive Plan, with garage entrances on the front elevations. The architectural elevations for the townhomes include more articulation, detailing, and variation in building materials and textures than is required by the Design Standards of the Zoning Ordinance. The PUD proposes elevations with masonry materials that do not continue around the entire building, which deviates from the Design Standard of continuous materials on all elevations. The PUD proposes two townhome buildings containing six units attached in a row, which exceeds the Design Standard maximum of five units attached in a row.

5. The PUD provides for energy efficient building and site design.

   Energy efficient features of the building and site design have not been identified.

6. The PUD provides for the use of innovative stormwater management techniques.

   The PUD Preliminary Plans include a stormwater management system in compliance with City Code requirements. The property is not currently served by a stormwater management system. The detention basins will be naturalized, which can improve water quality.

7. The PUD provides accessible dwelling units in numbers or with features beyond what is required by the Americans with Disabilities Act (ADA) or other applicable codes.

   No accessible dwelling units have been proposed as part of the PUD.

8. The PUD provides affordable dwelling units in conformance with, or in excess of, City policies and ordinances.

   The PUD deviates from the requirements of the City's Zoning Ordinance with respect to providing affordable dwelling units. The PUD does not include any affordable dwelling units and no fee-in-lieu of constructing the units is proposed. The developer will follow the recommendation of the City's Housing Commission to actively seek grant funding assistance that can reduce the cost of the residential units to a level that is closer to a level considered "affordable" by the City's Zoning Ordinance.

9. The PUD preserves historic buildings, sites or neighborhoods.

   The proposed PUD is not within a Historic District, but is located approximately two blocks from the Central Historic District. The property is a former industrial facility that is located within an older neighborhood which contains two designated Landmark buildings located approximately two blocks south of the subject property. The buildings and other site improvements on the subject property have not been identified as having any unique historic value and have been substantially demolished.

3. The proposed PUD conforms with the standards applicable to Special Uses (section 17.04.330.C.2):

   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.

The location is desirable for residential development due to its proximity to downtown. The Comprehensive Plan recommends more residential housing in close proximity to downtown to enhance the Downtown's viability.

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

The following studies have been completed to determine infrastructure improvements necessary to support the development:

- **Traffic Impact Study prepared by KLOA dated September 27, 2011, indicates that adequate access roads will be provided.**
- **Water Supply Modeling Study prepared by Trotter and Associates dated December 27, 2010 indicates that adequate water supply will be provided.**
- **Sanitary Sewer Evaluation prepared by Wills Burke Kelsey Associates dated December 17, 2010 indicates that adequate sanitary sewer utilities will be provided.**

PUD Preliminary Engineering Plans have been reviewed by City staff for compliance with City Codes and Ordinances, including the Kane County Stormwater Ordinance. Based on these reviews, adequate on-site utilities, access roads, drainage, and related facilities have been provided on the plan documents,.

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.

Evaluations and studies were conducted to identify potential impacts of the proposed development. The studies, which were entered into the record at the public hearing, identified any necessary improvements or measures to be taken to mitigate those impacts, and concluded with these improvements or measures, there would be no negative effect on nearby property.

With respect to traffic, there was significant testimony regarding existing delays encountered for vehicles exiting the neighborhood on to IL Route 64 and IL Route 31. The proposed development is expected to increase these delays. The traffic study for the project concluded that all intersections analyzed would operate at an overall acceptable level of service in 2015 when the project is fully constructed. However, the study also identified that the level of service for individual traffic movements out of the neighborhood and on to IL Route 64 and 31 would be degraded to an unacceptable level for certain locations. The developer will provide a contribution for off-site traffic

improvements in the amount of $200,000 to be used for improvements to these intersections, as determined by the City.

Residential land uses surrounding the subject property are compatible and complementary to the land uses proposed for the PUD. The PUD will not diminish or impair residential property values in comparison to the existing property value and condition of the site.

Existing industrial land uses surrounding the subject property are not compatible with the proposed land uses for the PUD. The isolated industrial properties surrounding the site are already located in close proximity to other residential uses. The industrial properties located immediately to the west and south have existing legal non-conforming building setbacks from the development site. The Zoning Ordinance requires that where two incompatible uses adjoin along a property line, buffering and screening are the responsibility of the more intensive use (the industrial property). Any future development of the industrial sites under the existing zoning will require additional buffering and screening.

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.

Evaluations and studies were conducted to identify potential impacts of the proposed development. The studies, which were entered into the record at the public hearing, identified any necessary improvements or measures to be taken to mitigate those impacts, and concluded with these improvements or measures, there would be no negative effect on surrounding property.

Residential land uses surrounding the subject property are compatible and complementary to the land uses proposed for the PUD, as discussed in Item C. above.

Industrial land uses surrounding the subject property are not compatible with the proposed land uses for the PUD, as discussed in Item C. above.

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.

Evaluations and studies were conducted to identify potential impacts of the proposed development. The studies, which were entered into the record at the public hearing, identified any necessary improvements or measures to be taken to mitigate those impacts, and concluded with these improvements or measures, there would be no negative effect on surrounding property.

For the reasons stated under Item C. above, further traffic analysis is recommended.

F. Conformance with Codes: That the proposed Special Use conforms to all existing Federal, State and local legislation and regulation 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 PUD complies will all City Codes, with the exception of any Zoning Ordinance deviations requested through the Planned Unit Development. The City will not authorize the construction of residential dwelling units on the property until the Illinois Environmental Protection Agency issues No Further Remediation letter(s) indicating that the site has been appropriately cleaned of environmental contaminants.

4. The proposed PUD will be beneficial to the physical development, diversity, tax base and economic well-being of the City.

The City has adopted policy through the Comprehensive Plan to support development of the subject property with residential uses within a specified density range. The proposed development meets this objective and is within the recommended density range.

5. The proposed PUD conforms to the purposes and intent of the Comprehensive Plan.

The subject property is classified in the Comprehensive Plan, Future Land Use Map #14 as "Medium Residential." The PUD Preliminary Plans conform to the Future Land Use Designation.

The Comprehensive Plan includes the following Goals and Objectives to be used when evaluating development proposals in this location:

Provide for future redevelopment while preserving the character of the surrounding neighborhood

- *Maintain the existing typology of the surrounding residential neighborhood through the interconnection of streets and similar types of housing styles.*
- *Residential housing in close proximity to Downtown St. Charles is encouraged, to provide residents the opportunity to enjoy downtown amenities and to enhance Downtown's viability.*
- *Provide buffers or transition areas between different uses such as industrial and residential.*
- *Locate any areas of redevelopment that have a higher density away from existing lower density development, and provide appropriate transitions between dissimilar uses.*
- *Avoid land use and street patterns that result in heavy trucks using residential streets to access industrial or retail businesses.*

The development provides interconnected streets. The architectural style treatments are similar to those in the neighborhood; however the building forms are dissimilar to those found in the neighborhood. The development is more regular and uniform than the existing neighborhood.

Higher density townhomes have been located adjacent to the neighboring industrial uses.

Only limited buffers and transition areas have been provided adjacent to the isolated industrial uses on 9th and 12th Streets. The Comprehensive Plan recommends a long term future land use of "Medium Residential" for these properties.

Provide Public open space to serve the neighborhood needs

- *Look for opportunities to address changes to State Street Creek where possible.*
- *Provide for adequate park space to serve local needs.*

No changes are proposed to State Street Creek. Stormwater basins will be constructed north of the creek. Most trees will be preserved on the south side of the creek.

The subject property represents the most significant development site within the neighborhood, and therefore is the only opportunity for a significant park land donation. The St. Charles Park District has acquired the 2.76 acre site located at 229 N. 9th Street, to be called "Belgium Town Park". The Park District will accept a small parcel on 9th Street as a land donation to improve access to the Belgium Town Park site. The rest of the requirement will be met as a cash donation to the Park District that can be used to improve the park.

The City's Subdivision Ordinance requires a land or cash donation based on the expected population of the subdivision (Population of 307, with a requirement at 10 acres per 1,000 population, equals a donation size of 3.07 acres). The park site acquired by the Park District is less than the recommended preferred size for the proposed development. A private park for the residents of the PUD is proposed on the north side of Mark Street between 5th and 6th Streets.

Provide a range of housing that is available, accessible and affordable

- *Maintain the quality of the existing housing stock.*
- *Look for opportunities to add Senior housing to the area.*
- *Require high quality construction for new development.*
- *Promote subdivision design that creates desirable and cost efficient residential neighborhoods.*

The PUD provides two distinct housing types- single-family detached houses and townhome units. No units are specifically designed to be accessible. No units are considered "affordable" by the City's Zoning Ordinance. No units have been designed specifically for senior housing.

In terms of construction and design quality, the proposed townhomes comply with the City's Design Standards, with deviations requested to allow the use of masonry materials on front and side elevations only.

The overall subdivision layout is desirable, but it is unknown how cost efficient the development plan is without comparison to an alternate plan.

EXHIBIT "E"

PUD PRELIMINARY PLANS

56', 58' x 110' SF Lots

Industrial

12TH STREET

MARK STREET

RYAN STREET

DEAN STREET

STATE STREET

5TH STREET

7TH STREET

HOLM INDUSTRY SITE - 2.00 ACRES

Detention

Future Park

2 Story Townhomes

260 Garage Spaces

SITE INFORMATION

Residential Data

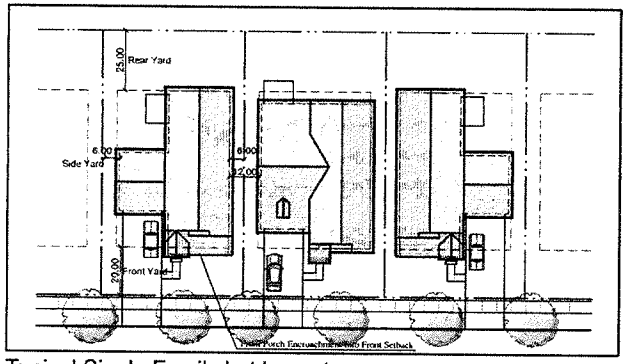
28 - Single Family Lots (56', 58' x 110')
102 - Townhomes
130 Total Units

28.70 acres -Gross Total
5.07 acres -Environmental Constraints
23.63 acres -Net Total
Project Density- 5.50 Du/Ac.

Townhome Lot Area-399,060 SF
Townhome Lot Area/Unit -3,912 SF

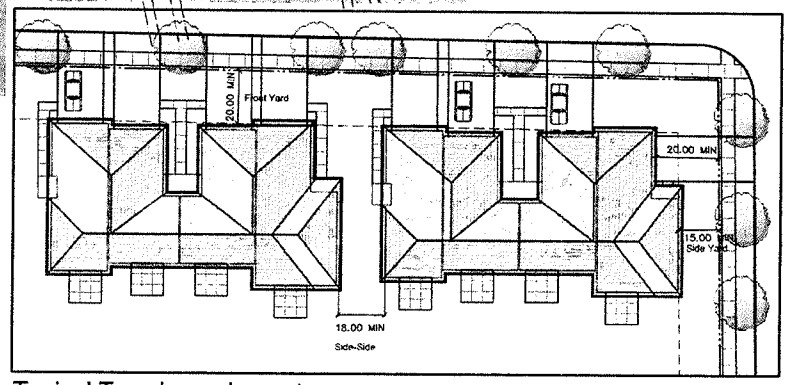
Total Parking

260 Off-Street Guest Spaces
(2 Garages Spaces per Unit)
520 Total Spaces (4.00:1)



Typical Single Family Lot Layout

Scale: 1"=20'



Typical Townhome Layout

Scale: 1"=20'

North

Lexington Homes
1731 North Marcey Suite 200
Chicago, IL 60614
312-280-0980

Concept Site Plan

The Lexington Club
St. Charles, Illinois

Date: April 18, 2012

BSB DESIGN

LOT NO.	DELTA	RADIUS	TANGENT	CHORD BEARING
20	23°00'00"	1,176.00'	239.41'	S79°03'07"W
21	49°00'00"	235.00'	107.00'	N69°34'00"E
22	90°00'00"	170.00'	170.00'	N00°27'00"W
23	8°00'00"	1,146.00'	80.48'	N42°27'00"E
24	8°00'00"	1,146.00'	80.48'	N42°27'00"E
25	90°00'00"	170.00'	170.00'	N00°27'00"W
26	49°00'00"	235.00'	107.00'	N69°34'00"E
27	23°00'00"	1,176.00'	239.41'	S79°03'07"W

TYPICAL SINGLE FAMILY SETBACK
LOTS 1-16

TYPICAL SINGLE FAMILY SETBACK
LOTS 7-28

PROPOSED SETBACK TABLE
SINGLE FAMILY ATTACHED
MINIMUM LOT AREA
MINIMUM LOT WIDTH
MAXIMUM BUILDING COVERAGE
MAXIMUM BUILDING HEIGHT
MINIMUM FRONT YARD
MINIMUM SIDE YARD
MINIMUM REAR YARD
OVERALL LANDSCAPE AREA
LANDSCAPE BUFFER YARDS
SINGLE FAMILY
MINIMUM LOT AREA
MINIMUM LOT WIDTH
MAXIMUM BUILDING COVERAGE
MAXIMUM BUILDING HEIGHT
MINIMUM FRONT YARD
MINIMUM SIDE YARD
MINIMUM REAR YARD
OVERALL LANDSCAPE AREA
LANDSCAPE BUFFER YARDS

LOT NUMBER	DISTANCE ALONG NORTH LINE FROM NW CORNER OF LOT 63	DISTANCE TO LOT CORNER AT RIGHT ANGLES
1	27.77'	133.79'
2	23.00'	74.83'
3	59.83'	23.04'
4	214.71'	20.00'
5	371.54'	20.26'
6	532.29'	20.94'
7	698.31'	20.48'

LOT NUMBER	DISTANCE ALONG NORTH LINE FROM NE CORNER OF LOT 63	DISTANCE TO LOT CORNER AT RIGHT ANGLES
8	268.00'	10.00'
9	141.03'	10.00'
10	11.16'	10.00'
11	214.92'	178.00'
12	124.48'	178.17'
13	2.00'	148.13'

LOT NUMBER	DISTANCE ALONG NORTH LINE FROM NE CORNER OF LOT 64	DISTANCE TO LOT CORNER AT RIGHT ANGLES
14	18.24'	10.00

LOT NUMBER	DISTANCE ALONG NORTH LINE FROM NW CORNER OF LOT 64	DISTANCE TO LOT CORNER AT RIGHT ANGLES
17	10.80'	179.00
18	148.53'	106.19
17	143.71'	10.94'
18	148.19'	10.94'
19	248.68'	20.04

LOT NUMBER	DISTANCE ALONG WEST LINE FROM SW CORNER OF LOT 66	DISTANCE TO LOT CORNER AT RIGHT ANGLES
35	86.74'	14.74'
31	28.66'	149.26'
39	22.94'	505.01'
21	40.04'	442.96'

LOT NUMBER	DISTANCE ALONG NORTH LINE FROM NE CORNER OF LOT 65	DISTANCE TO LOT CORNER AT RIGHT ANGLES

TFW SURVEYING & MAPPING
LAND SURVEYING · TOPOGRAPHIC MAPPING · CONSTRUCTION LAYOUT
847-548-6600 FAX 548-6699

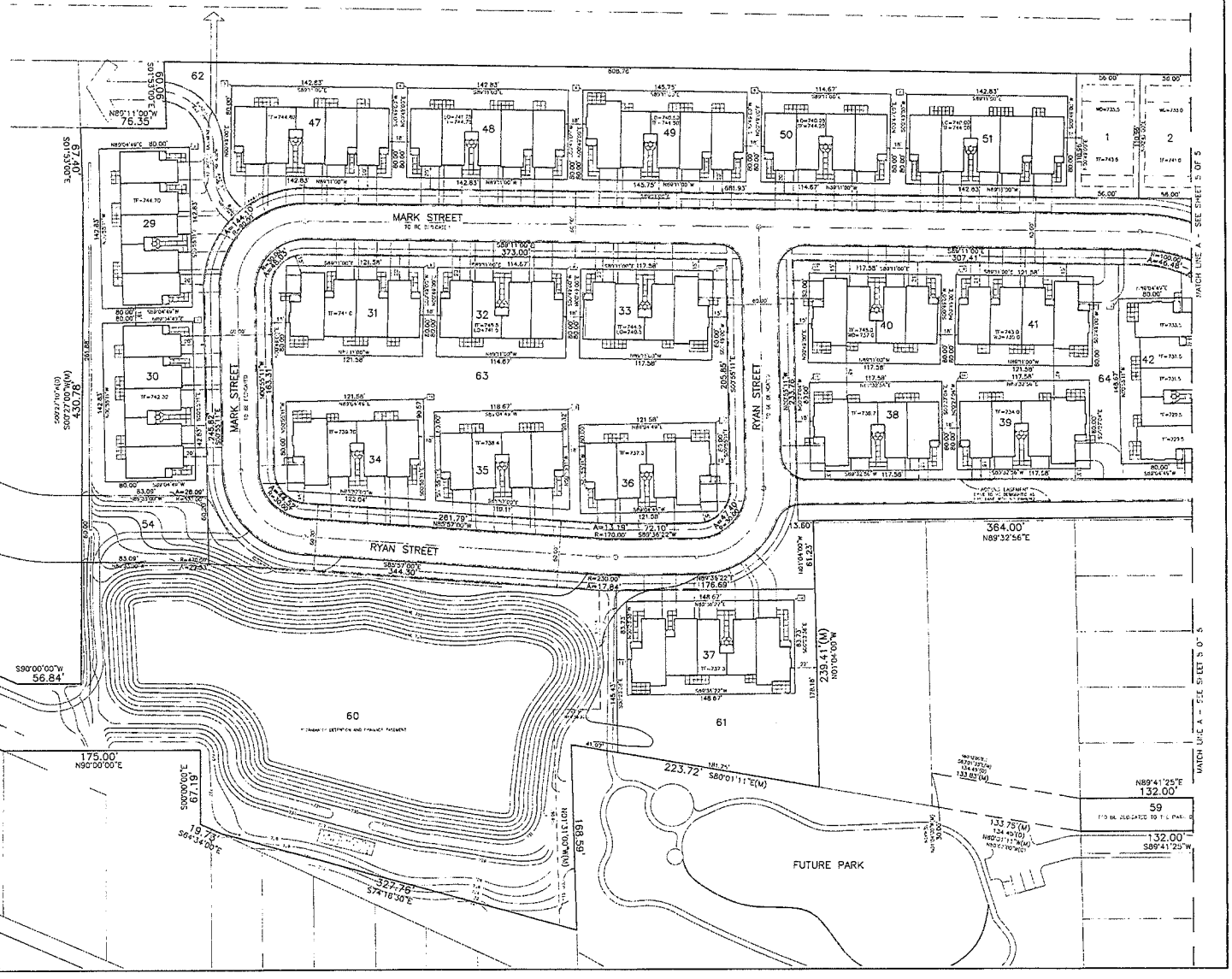
PRELIMINARY PLAN
LEXINGTON CLUB

LEXINGTON CLUB, BEING A PLANNED UNIT DEVELOPMENT IN PART OF THE SOUTHWEST 1/4 OF SECTION 27 AND IN PART OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL, BUT LYING IN THE CITY OF ST. CHARLES, KANE CO. ILL.

A BLANKET EASEMENT FOR PUBLIC UTILITIES, VILLAGE UTILITIES AND DRAINAGE OVER LOTS 53, 61 THROUGH 66 WILL BE GRANTED ON THE FINAL PLAT OF SUBDIVISION.

LOT 59 WILL RECEIVE PERPETUAL RIGHT OF WAY IN THE FUTURE WHEREVER FUTURE ROAD CONNECTION FROM 12TH STREET IS CONSTRUCTED

PERMANENT UTILITY EASEMENTS WILL BE GRANTED OVER VACATED RYAN ROAD ON THE FINAL PLAT OF SUBDIVISION.



REVISED: SEPTEMBER 6, 2012 (VILLAGE COMMENTS 8-13-2012)
REVISED: JULY 18, 2011 (BLDG LOCATIONS 53 & 12)(ST.CHARLES)
REVISED: JULY 21, 2011 (VILLAGE COMMENTS 6-14-11)
DATE: DECEMBER 17, 2010 (ST.CHARLES)
DRAWN BY: JEFFREY PALLIN
FILE NO: 12-11
FILE: LEXINGTON HOMES
PROJ. NAME: 9TH ST./PROJ. ST. CHARLES
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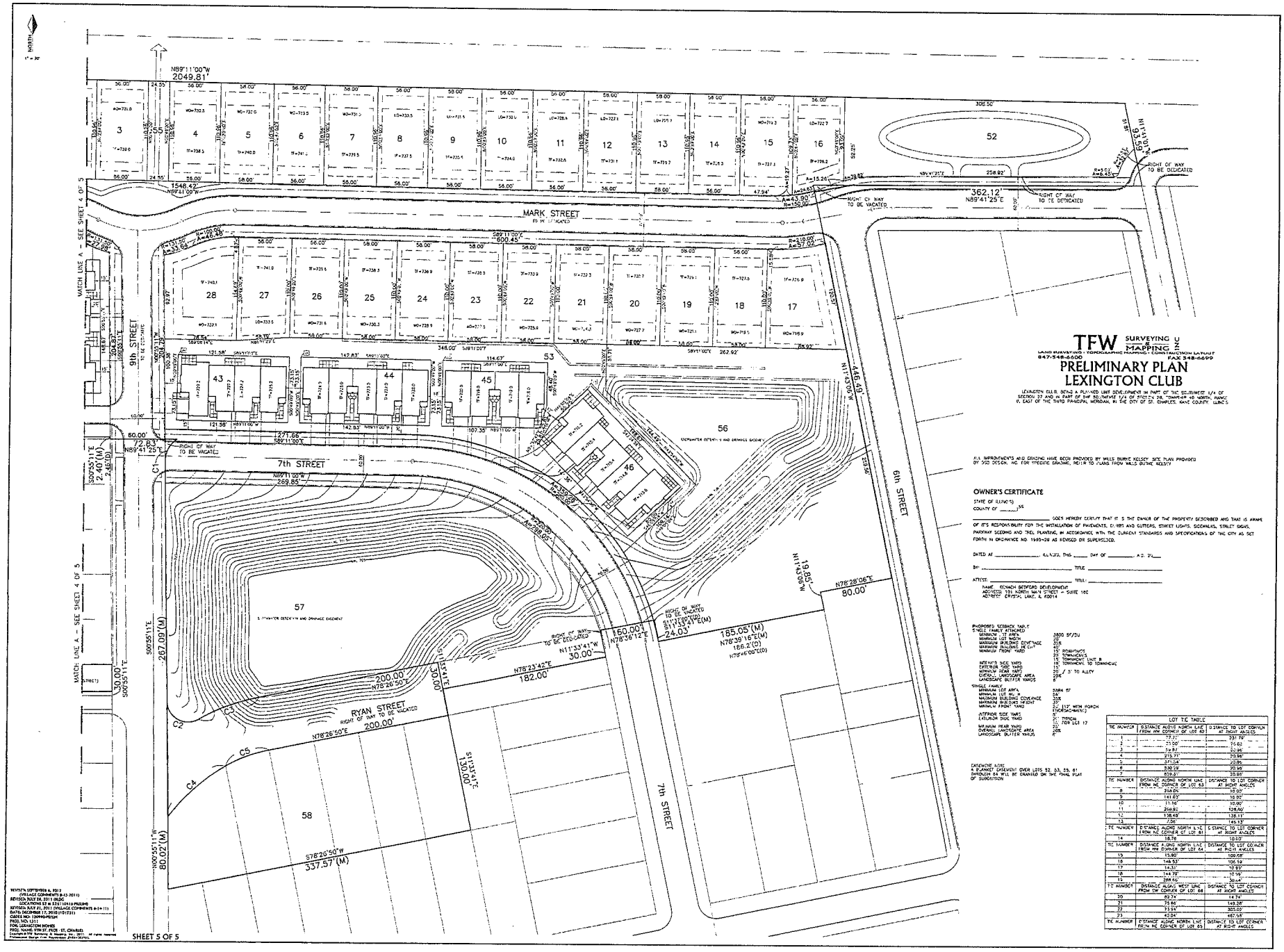
Professional Design Firm Registered (184-3929)

SHEET 4 OF 5


MARK STREET
9th STREET
7th STREET
6th STREET
RYAN STREET
RIGHT OF WAY TO BE VACATED
RIGHT OF WAY TO BE DEDICATED
MATCH LINE A - SEE SHEET 4 OF 5
SHEET 5 OF 5
N89°11'00"W 2049.81'
362.12' N89°41'25"E
600.45'
446.49'
N11°33'00"W
N11°19'06"W 19.85'
N78°28'06"E 80.00'
185.05'(M) N78°39'16"E(M) 166.2'(D)
160.00' N78°36'12"E
N11°33'41"W 30.00'
N78°23'42"E 182.00'
200.00' N78°26'50"E
200.00'
N78°26'50"E
S78°26'50"W 337.57'(M)
267.09'(M)
80.02'(M)
S00°55'11"E 30.00'
S00°55'11"E 2.40'(M)
N00°55'11"W
269.85'
271.66'
72.83'
60.00'
52
53
56
57
58
TFW SURVEYING & MAPPING
LAND SURVEYING · TOPOGRAPHIC MAPPING · CONSTRUCTION LAYOUT
847-548-6600 FAX 548-6699
PRELIMINARY PLAN
LEXINGTON CLUB
LEXINGTON CLUB, BEING A PLANNED UNIT DEVELOPMENT IN PART OF THE SOUTHWEST 1/4 OF SECTION 27 AND IN PART OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS
ALL IMPROVEMENTS AND GRADING HAVE BEEN PROVIDED BY WELLS BURKE KELSEY SITE PLAN PROVIDED BY DGD DESIGN. NO FOR SPECIFIC GRADING, REFER TO PLANS FROM WELLS BURKE KELSEY
OWNER'S CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF _____)SS
_____ DOES HEREBY CERTIFY THAT IT IS THE OWNER OF THE PROPERTY DESCRIBED AND THAT IS AWARE OF ITS RESPONSIBILITY FOR THE INSTALLATION OF PAVEMENTS, CURBS AND GUTTERS, STREET LIGHTS, SIDEWALKS, STREET SIGNS, PARKWAY SEEDING AND TREE PLANTING IN ACCORDANCE WITH THE CURRENT STANDARDS AND SPECIFICATIONS OF THE CITY AS SET FORTH IN ORDINANCE NO. 1989-38 AS REVISED OR SUPERSEDED.
DATED AT _____, ILLINOIS, THIS _____ DAY OF _____, A.D. 20__.
BY: _____ TITLE _____
ATTEST: _____ TITLE: _____
NAME: BENACH BERGERO DEVELOPMENT
ADDRESS: 100 NORTH MAIN STREET - SUITE 100
ADDRESS: CRYSTAL LAKE, IL 60014
PROPOSED SETBACK TABLE
SINGLE FAMILY ATTACHED
MINIMUM LOT AREA 3800 SF/DU
MINIMUM LOT WIDTH 25'
MAXIMUM BUILDING COVERAGE 35%
MAXIMUM BUILDING HEIGHT 35'
MINIMUM BUILDING FRONT YARD 15' BOWINDOWS
20' TOWNHOMES
15' TOWNHOME UNIT B
INTERIOR SIDE YARD 15' TOWNHOME TO TOWNHOME
EXTERIOR SIDE YARD 15'
MINIMUM REAR YARD 20' / 5' TO ALLEY
OVERALL LANDSCAPE AREA 20%
LANDSCAPE BUFFER YARDS 8'
SINGLE FAMILY
MINIMUM LOT AREA 9984 SF
MINIMUM LOT WIDTH 80'
MAXIMUM BUILDING COVERAGE 35%
MAXIMUM BUILDING HEIGHT 35'
MINIMUM FRONT YARD 30' (112' WITH PORCH OVERHANG)
INTERIOR SIDE YARD 5'
EXTERIOR SIDE YARD 30' TOWNHOMES
MINIMUM REAR YARD 30' TOWNHOMES LOT 17
OVERALL LANDSCAPE AREA 20%
LANDSCAPE BUFFER YARDS 8'
EASEMENT NOTE
A BLANKET EASEMENT OVER LOTS 52, 53, 55, 61 EXCLUDING 54 WILL BE GRANTED ON THE FINAL PLAT OF SUBDIVISION
LOT TIE TABLE
TIE NUMBER | DISTANCE ALONG NORTH LINE FROM NW CORNER OF LOT 60 | DISTANCE TO LOT CORNER AT RIGHT ANGLES
1 | 77.21' | 331.79'
2 | 21.00' | 75.62
3 | 79.87 | 30.96
4 | 215.71' | 29.96'
5 | 371.04' | 20.96
6 | 592.19 | 20.96
7 | 639.37 | 35.96'
TIE NUMBER | DISTANCE ALONG NORTH LINE FROM NE CORNER OF LOT 63 | DISTANCE TO LOT CORNER AT RIGHT ANGLES
8 | 258.05 | 10.00'
9 | 141.63' | 10.00'
10 | 11.16' | 10.00'
11 | 264.82 | 128.60'
12 | 138.48' | 138.11'
13 | 7.06 | 145.13'
TIE NUMBER | DISTANCE ALONG NORTH LINE FROM NE CORNER OF LOT 61 | DISTANCE TO LOT CORNER AT RIGHT ANGLES
14 | 18.76 | 10.00'
TIE NUMBER | DISTANCE ALONG NORTH LINE FROM NW CORNER OF LOT 64 | DISTANCE TO LOT CORNER AT RIGHT ANGLES
15 | 13.90' | 100.58'
16 | 146.53' | 106.19
17 | 14.31' | 10.93'
18 | 144.78' | 10.93'
19 | 288.66 | 30.04'
TIE NUMBER | DISTANCE ALONG WEST LINE FROM SW CORNER OF LOT 68 | DISTANCE TO LOT CORNER AT RIGHT ANGLES
20 | 83.74 | 14.74'
21 | 75.90 | 149.28'
22 | 73.94' | 305.00'
23 | 43.04' | 467.55'
TIE NUMBER | DISTANCE ALONG NORTH LINE FROM NE CORNER OF LOT 65 | DISTANCE TO LOT CORNER AT RIGHT ANGLES
REVISED SEPTEMBER 6, 2012 (VILLAGE COMMENTS 8-13-2012)
REVISED JULY 26, 2011 (REV. SITE PLAN)
SITE PLAN 52 & 53 (12/12/2012) PELLINI
REVISED JULY 21, 2011 (VILLAGE COMMENTS 6-14-11)
DATE: DECEMBER 17, 2010 (10/12/11)
CADD & NO: 120990-PRELIM
PROJ. NO: 1211
FOR: LEXINGTON HOMES
PROJ. NAME: 9TH ST. PROP. - ST. CHARLES
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PRELIMINARY ENGINEERING PLANS
for
LEXINGTON CLUB

ST. CHARLES, ILLINOIS

PROJECT NO: 06-941D

PLANNER

BSB DESIGN
3436 N. KENNICOTT, SUITE 100
ARLINGTON HEIGHTS, IL 60004
(847) 705-2200

SURVEYOR

TFW SURVEYING & MAPPING, INC.
888 E. BELVIDERE RD., SUITE 413
GRAYSLAKE, IL 60030
(847) 548-6600

DEVELOPER

LEXINGTON HOMES
1731 N. MARCEY ST., SUITE 200
CHICAGO, IL 60614
(773) 360-0300

NOTE:

WILLS BURKE KELSEY ASSOCIATES, LTD. IS TO BE NOTIFIED AT LEAST THREE (3) DAYS PRIOR TO STARTING CONSTRUCTION AND SHALL BE INCLUDED IN THE PRECONSTRUCTION MEETINGS

CALL J.U.L.I.E. 1-800-892-0123
WITH THE FOLLOWING:

COUNTY: KANE
CITY, TOWNSHIP: ST. CHARLES, ST. CHARLES
SEC. & 1/4 SEC. NO: 27 & 28

48 HOURS BEFORE YOU DIG.
EXCLUDING SAT., SUN. & HOLIDAYS

AREA – 27.8 ACRES

BENCHMARK

ELEVATION:

DESCRIPTION: SEE SHEET GR1 FOR BENCHMARK INFORMATION

EXISTING ZONING: INDUSTRIAL
TOWNSHIP: 40N RANGE: 8E SECTION: 28

ENGINEER DATE SEAL
JOHN W. WITTE, P.E

ILLINOIS REGISTRATION NO. 062-058599
EXPIRATION DATE 11/30/2011

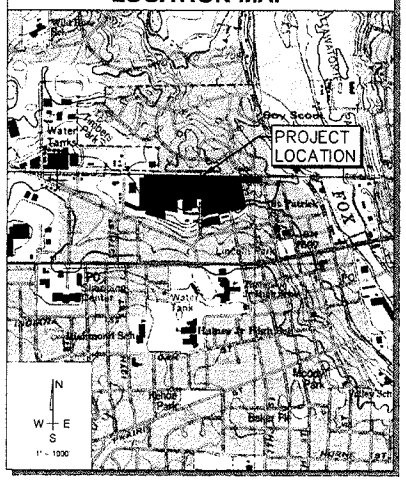
THESE PLANS OR ANY PART THEREOF SHALL BE CONSIDERED VOID WITHOUT THE SIGNATURE, SEAL, AND EXPIRATION DATE OF SEAL OF THE ENGINEER

PROFESSIONAL DESIGN FIRM NO. 184.002097
EXPIRATION DATE 4/30/2011

INDEX

SHEET ID	SHEET I.D.	SHEET DESCRIPTION
1	C1	COVER SHEET
2	ET1	EXISTING CONDITIONS AND DEMOLITION PLAN
3	GR1	GRADING PLAN
4	UT1	UTILITY PLAN
5-6	PP1-PP2	PLAN & PROFILES
7-10	TP1-TP4	TREE PRESERVATION PLAN

LOCATION MAP



LEGEND

EXISTING	LINETYPES	PROPOSED
	DRAIN TILE	
	STORM SEWER	
	SANITARY SEWER	
	WATER MAIN (W/ SIZE)	W 8"
	PIPE TRENCH BACKFILL	
	GAS MAIN	G
	TELEPHONE LINES	T
	ELECTRIC LINE	E
	FENCE	X
	RIGHT-OF-WAY	
	EASEMENT	
	PROPERTY LINE	
	SETBACK LINE	
	CENTERLINE	
	CONTOUR	580
	STRUCTURES	
	SANITARY MANHOLE	
	STORM MANHOLE	
	CATCH BASIN	
	INLET	
	SUMP STRUCTURE	
	FIRE HYDRANT	
	PRESSURE CONNECTION	
	PIPE REDUCER	
	VALVE & VAULT, VALVE	
	FLARED END SECTION	
	STREET LIGHT	
	UTILITY POLE	
	CONTROL POINT	
	SIGN	
XXX.XX	SPOT ELEVATION	XXX.XX
	OVERLAND FLOW ROUTE	
	DRAINAGE SLOPE	
	GUARDRAIL	
	TREE, EVERGREEN, SHRUB & PROPOSED TREE TO REMOVE	

REVISIONS

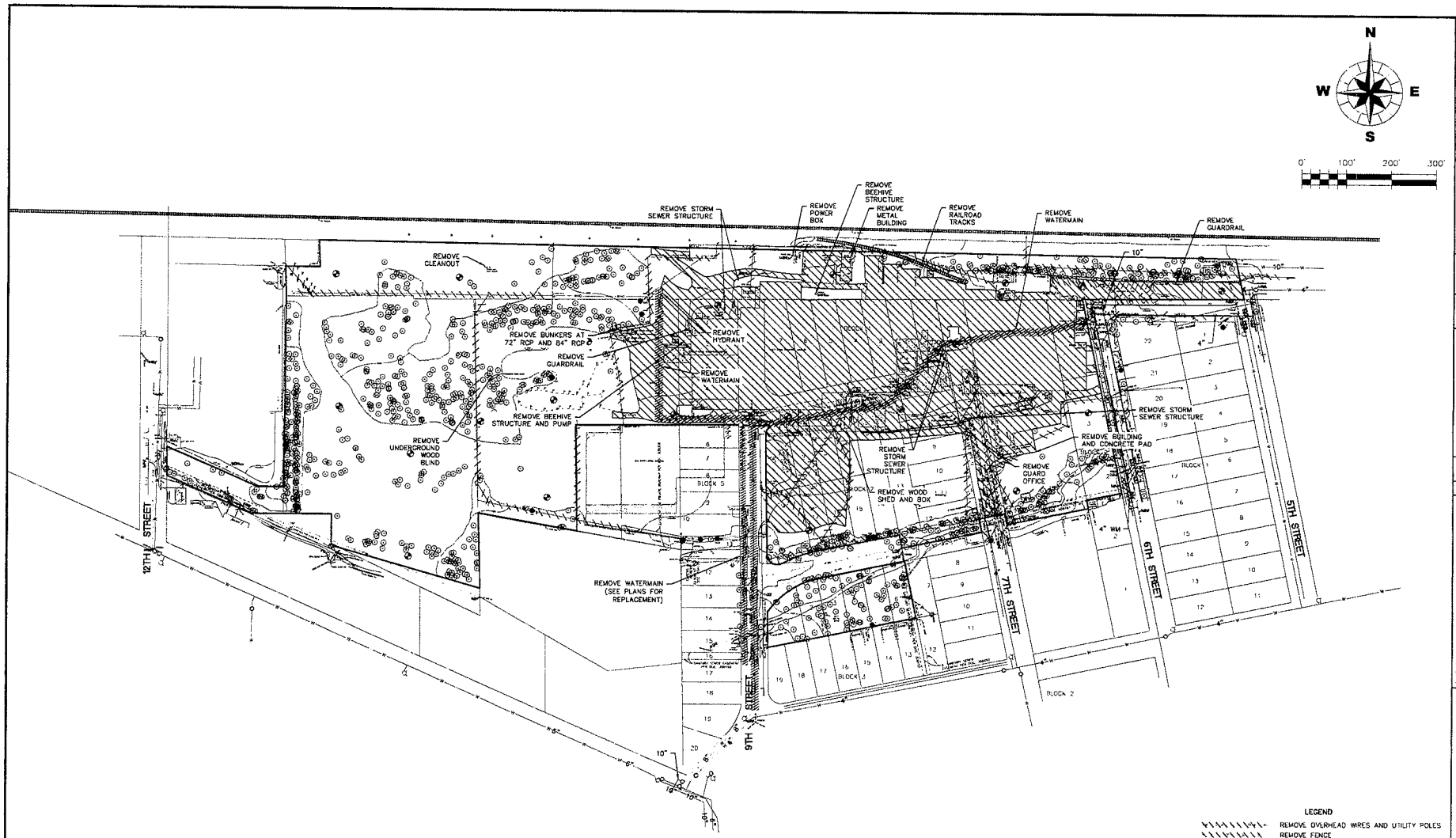
ORIGINAL PLAN DATE: 12/17/2010

#	SHEET #	REMARKS	DATE
1	3-6	REVISIONS PER CITY OF ST CHARLES COMMENTS	02/25/2011
2	3-6	REVISIONS PER CITY OF ST. CHARLES JUNE 14, 2011 LETTER	07/20/2011
3	1,3-5,9	UPDATED LAND PLAN - REMOVED ROW HOMES	04/20/2012
4	2-4	UPDATED PER CITY OF ST. CHARLES MEMORANDUM DATED 8/15/12	09/25/2012
5	3,4,6	PER CITY REVIEW MEETING 10/09/12	10/09/2012

LEXINGTON CLUB

WBK
WILLS BURKE KELSEY ASSOCIATES LTD.
116 West Main Street, Suite 201, St. Charles, Illinois 60174 (630) 443-7755

FILENAME: 06-941D-COV.DWG
JOB NO. 06-941D
SHEET C1
1 OF 10



LEGEND

- REMOVE OVERHEAD WIRES AND UTILITY POLES
- REMOVE FENCE
- REMOVE STORM SEWER
- REMOVE ASPHALT, BUILDING FOUNDATION, CONCRETE, GRAVEL

NOTES:

1. ALL ABANDONED SERVICES SHALL BE ABANDONED AT THE PUBLIC MAIN AND WITNESSED BY A CITY REPRESENTATIVE.

TITLE: LEXINGTON CLUB

EXISTING CONDITIONS AND DEMOLITION PLAN

DSGN.	VRD
DWN.	EAM
CHKD.	JCL
SCALE 1" = 100'	
05-941D-ET.DWG	

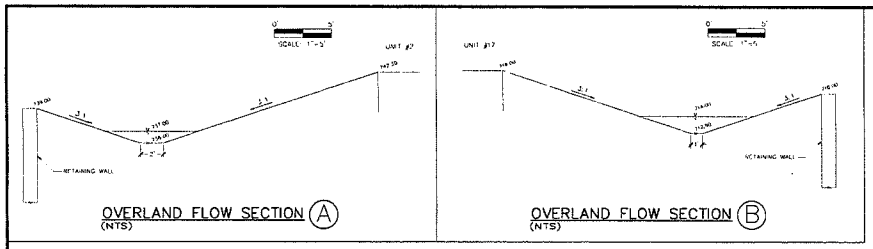
NO.	DATE	REVISION
4	9/25/12	REVISED PER CITY OF ST. CHARLES REVIEW COMMENTS
2	7/20/11	PER CITY COMMENTS
1	4/18/11	PER CITY OF ST. CHARLES

VARIANCE OF REVISION

CLIENT: LEXINGTON HOMES
1731 N. MARCEY ST., SUITE 200
CHICAGO, IL 60614
(773) 360-0300

WILLS BURKE KELSEY ASSOCIATES LTD.
116 West Main Street, Suite 201
St. Charles, Illinois 60174
(630) 443-7755

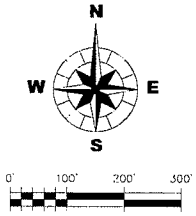
PROJECT NO. 05-941D
DATE 12/17/2010
SHEET 2 OF 10
DRAWING NO.
ET1

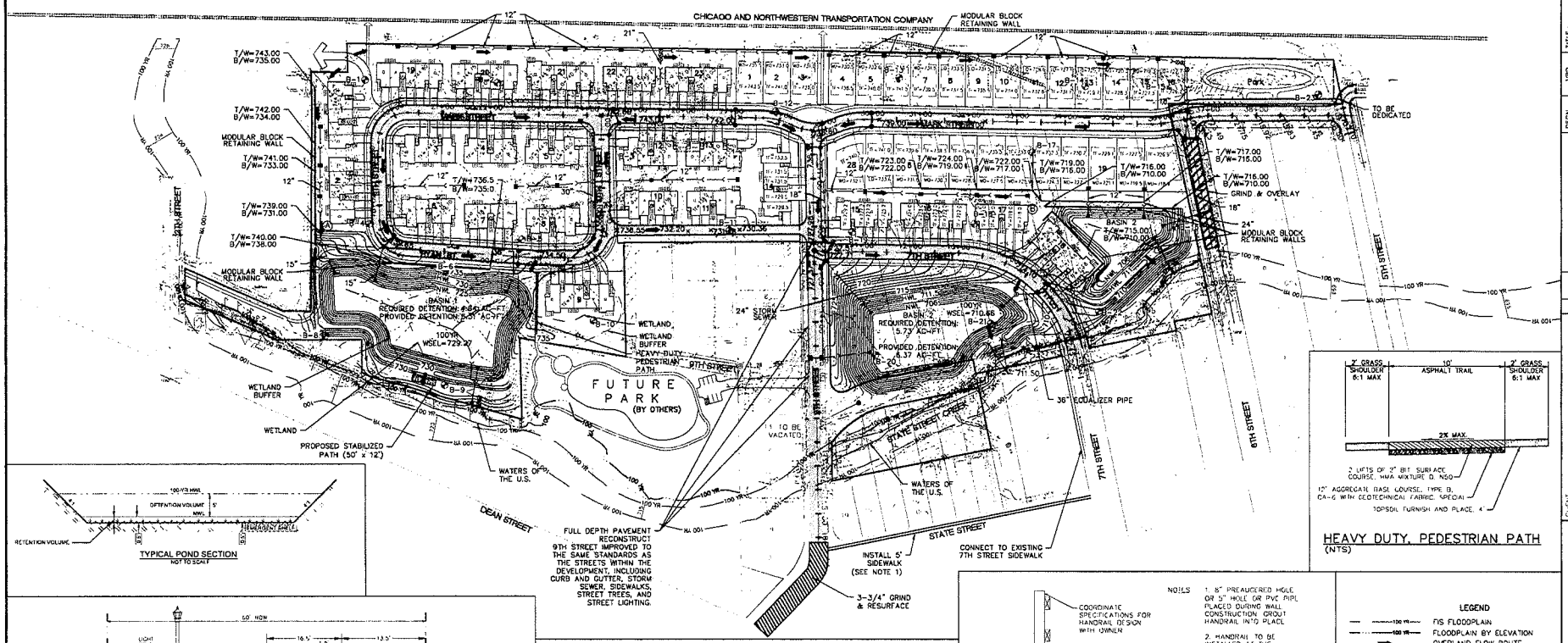


OVERLAND FLOW SECTION (A)
(NTS)

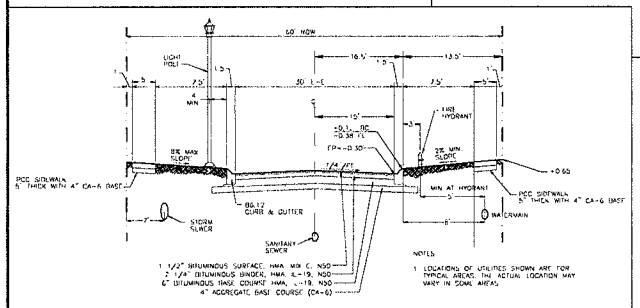
OVERLAND FLOW SECTION (B)
(NTS)

NOTES:
1. THE INSTALLATION OF THE SIDEWALK ALONG THE NORTH SIDE OF STATE STREET IS CONDITIONAL UPON SUFFICIENT R.O.W. AND THAT THE TOPOGRAPHIC FEATURES AND EXISTING CONDITIONS ARE SUCH THAT STANDARD CONSTRUCTION TECHNIQUES CAN BE FOLLOWED WITHOUT INCURRING UNDUE COSTS.

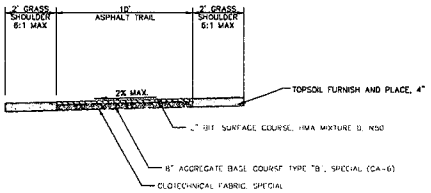




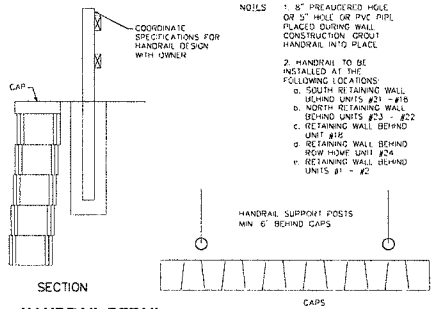
TYPICAL POND SECTION
NOT TO SCALE



TYPICAL PAVEMENT SECTION (PUBLIC ROW)
N.T.S.



LIGHT DUTY, PROPOSED PEDESTRIAN PATH
(NTS)



NOTES
1. 8" PREAUGERED HOLE OR 5" HOLE OR PVC PIPE PLACED DURING WALL CONSTRUCTION. GROUT HANDRAIL INTO PLACE.
2. HANDRAIL TO BE INSTALLED AT THE FOLLOWING LOCATIONS:
   a. SOUTH RETAINING WALL BEHIND UNITS #21 - #16
   b. NORTH RETAINING WALL BEHIND UNITS #33 - #22
   c. RETAINING WALL BEHIND UNIT #16
   d. RETAINING WALL BEHIND ROW HOME UNIT #24
   e. RETAINING WALL BEHIND UNITS #1 - #2

HANDRAIL DETAIL
N.T.S.

HEAVY DUTY, PEDESTRIAN PATH
(NTS)

LEGEND

- FIS FLOODPLAIN
- FLOODPLAIN BY ELEVATION
- OVERLAND FLOW ROUTE
- ROADWAY DRAINAGE ARROWS
- SOIL BORINGS
- GRIND AND OVERLAY

NOTES:
1. OWNER IS AWARE THAT STREET SIGNS SHALL BE REQUIRED PER THE CITY OF ST. CHARLES CODE.
2. ALL PARKWAYS SHALL BE SEEDED AND PARKWAY TREES PLANTED PER CITY OF ST. CHARLES SPECIFICATIONS.
3. THE UNDERGROUND DETENTION CHAMBER AND THE EMERGENCY OVERLAND FLOOD ROUTES WILL BE PRIVATELY OWNED AND MAINTAINED. ALL STORM UTILITIES IN AND AROUND THE BASINS SUCH AS UNDERGROUND DETENTION CHAMBER, CONTROL STRUCTURES, EQUALIZER PIPES, AND FLARED-END SECTIONS WILL ALSO BE PRIVATELY OWNED AND MAINTAINED.

NO.	DATE	REVISIONS	DSGN.	VRD
5	10/09/12	PER CITY REVIEW MEETING 10/09/12	DWN	EAM
4	10/02/12	REVISED PER CITY REVIEW MEETING 10/02/12	CHKD.	JCL
3	4/20/12	UPDATED LAND PLAN REMOVED ROW HOMES		
2	7/26/11	PER CITY COMENTS	SCALE: 1" = 100'	
1	4/18/11	PER CITY OF ST. CHARLES		
NO.	DATE	NATURE OF REVISION	06-941D-GR.DWG	

TITLE
LEXINGTON CLUB
GRADING PLAN

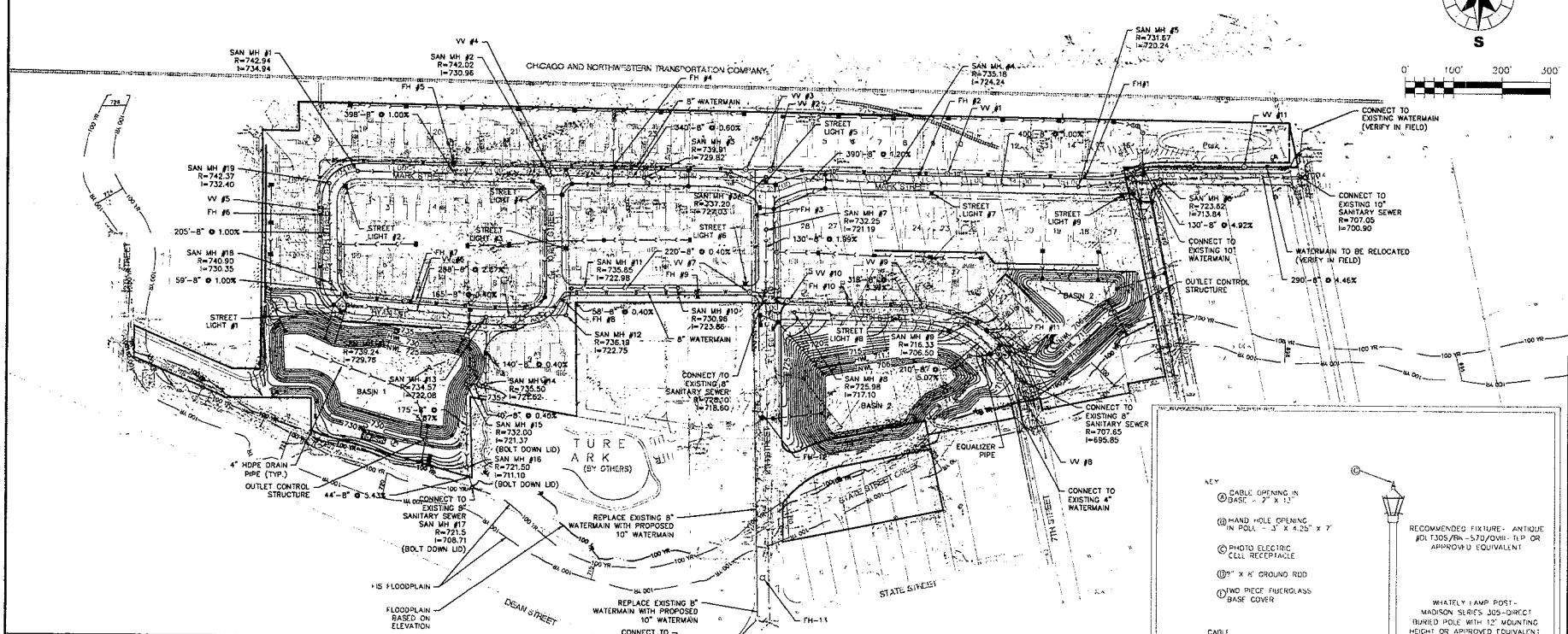
CLIENT
LEXINGTON HOMES
1731 N. MARCEY ST., SUITE 200
CHICAGO, IL 60614
(773) 360-0300

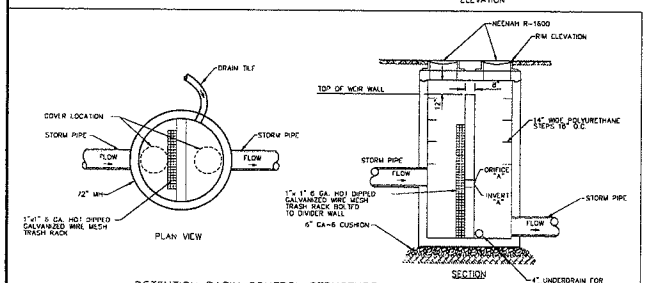
WILLS BURKE KELSEY ASSOCIATES LTD.
116 West Main Street, Suite 201
St. Charles, Illinois 60174
(630) 443-7755

PROJECT NO. 06-941D
DATE 12/17/2010
SHEET 3 OF 10
DRAWING NO.
GR1

NOTE:

* ALL SANITARY SEWER TO BE 8" PVC SDR26.

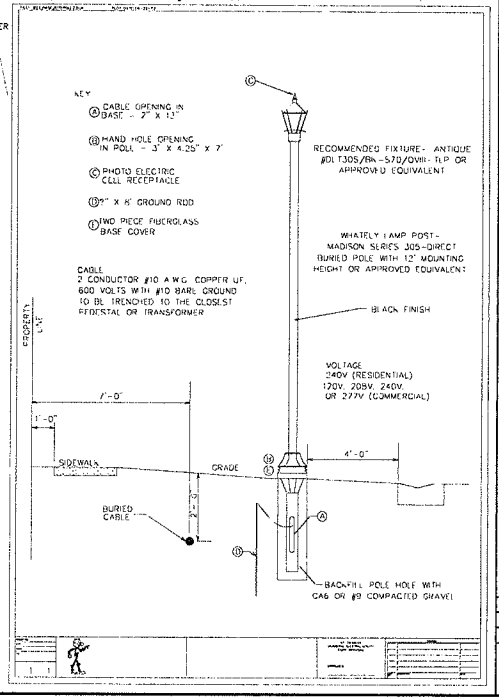




DETENTION BASIN CONTROL STRUCTURE
NOT TO SCALE

SUMMARY TABLE				
BASIN NUMBER	TOP OF WEIR WALL	INVERT "A"	ORIFICE "A" (D.A.)	
#1	730.00	725.00	4.44"	
#2	711.00	706.00	4.56"	

NOTES:
1. ALL SANITARY SEWER MANHOLES AS POINTS OF CONNECTION SHALL BE REPLACED
2. THE 10" WATERMAIN EXTENDED TO STATE AND DEAN STREETS WILL BE INSTALLED AND PAID FOR BY THE DEVELOPER, BUT THE CITY OF ST. CHARLES WILL REIMBURSE THE COST OF THE MAIN TO THE DEVELOPER FROM THE CITY'S GENERAL OBLIGATION FUNDS AND NOT TIF FUNDS.



NO.	DATE	REVISION
5	10/09/10	PER CITY REVIEW MEETING 10/08/10
4	8/26/10	REVISED PER CITY COMMENTS 8/13/10
3	4/20/10	UPDATED LAND PLAN REVISED ROW HOMES
2	1/26/11	PER CITY COMMENTS
1	12/17/10	PER CITY OF ST. CHARLES
		MASTER SET REVISIONS

DSGN. VRD
DWN. EAM
CHKD. JCL
SCALE 1" = 100'
06-941D-UT.DWG

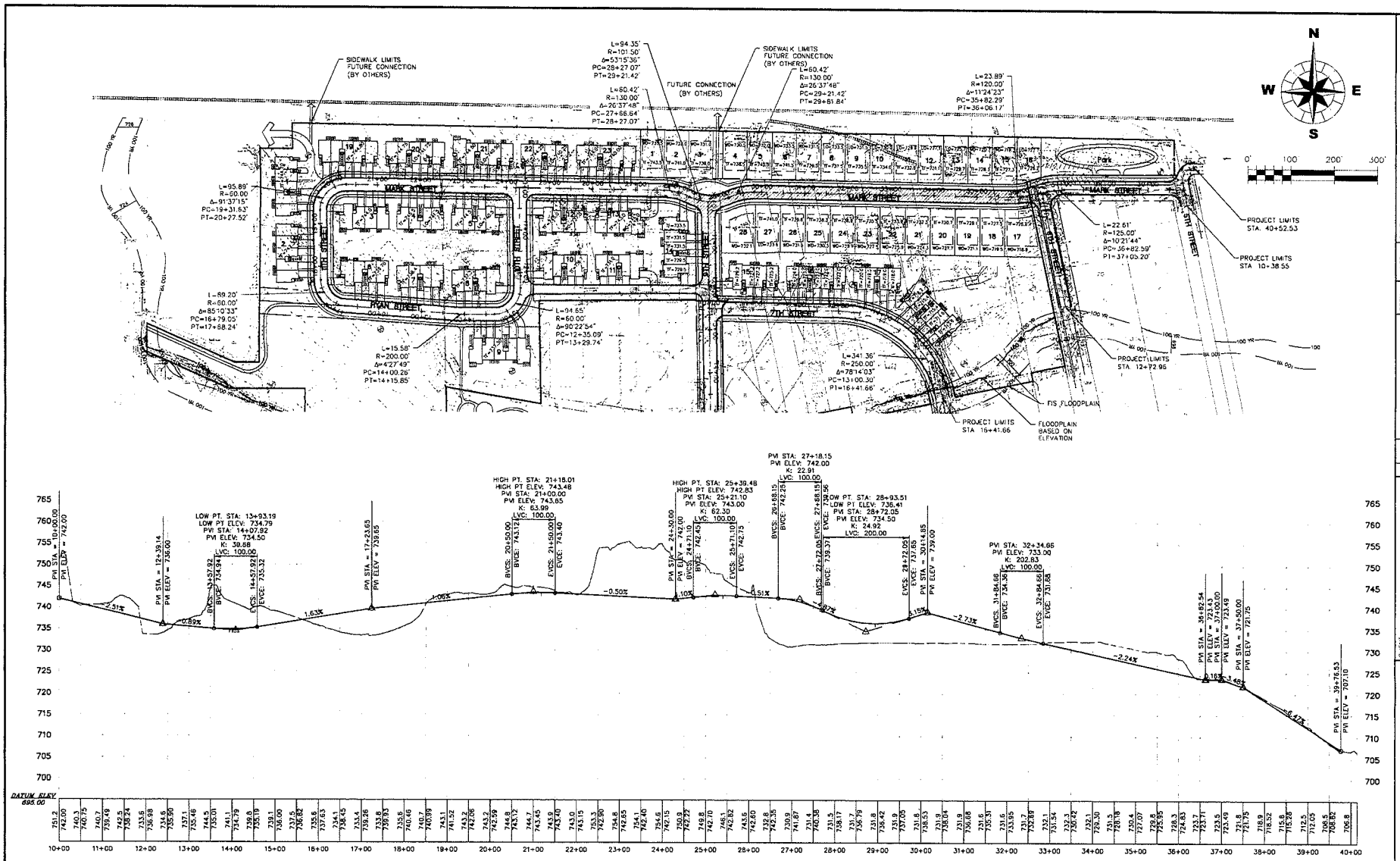
TITLE: LEXINGTON CLUB

UTILITY PLAN

CLIENT: LEXINGTON HOMES
1731 N. MARCEY ST., SUITE 200
CHICAGO, IL 60614
(773) 360-0300

WILLS BURKE KELSEY ASSOCIATES LTD.
116 West Main Street, Suite 201
St. Charles, Illinois 60174
(630) 443-7755

PROJECT NO. 06-941D
DATE 12/17/2010
SHEET 4 OF 10
DRAWING NO. UT1



TITLE: LEXINGTON CLUB

PLAN & PROFILES

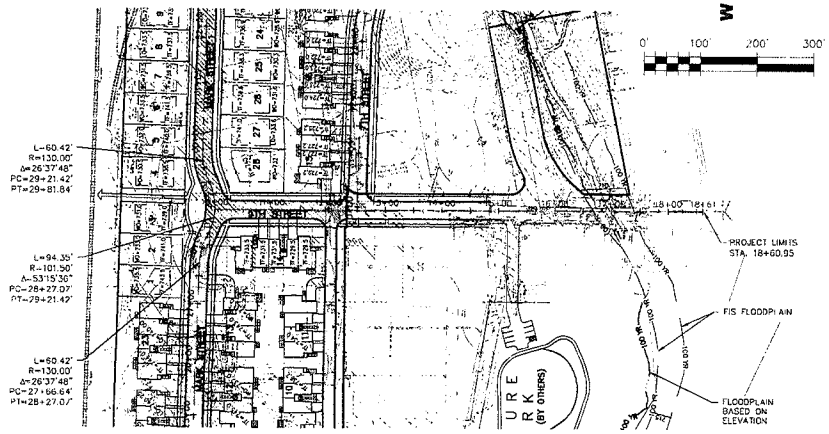
DSGN	VRD	SCALE	1" = 100' H
DWN	EAM		1" = 10' V
CHKD	JCL	DATE	06-641D-PP.DWG

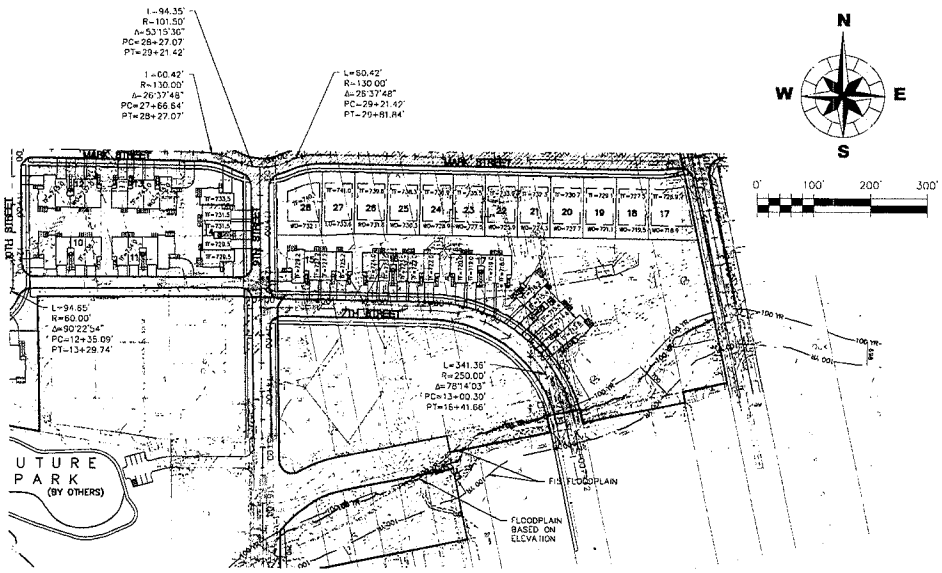
NO.	DATE	NATURE OF REVISION
3	1/23/12	UPDATED LAND BLOCK/ADDED ROW HOMES
2	7/20/11	PER CITY COMMENTS
1	4/18/11	PER CITY OF ST. CHARLES

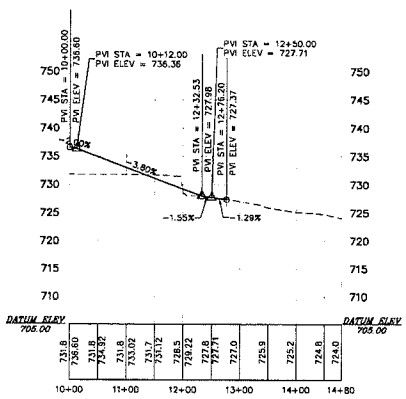
CLIENT
LEXINGTON HOMES
1731 N. MARCEY ST., SUITE 200
CHICAGO, IL 60614
(773) 360-0300

WILLS BURKE KELSEY ASSOCIATES LTD.
116 West Main Street, Suite 201
St. Charles, Illinois 60174
(630) 443-7755

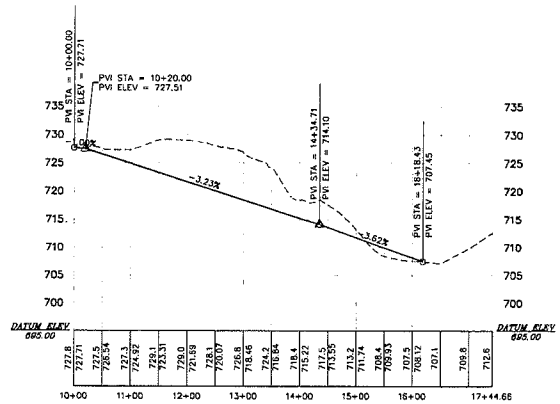
PROJECT NO. 06-641D
DATE 12/17/2010
SHEET 5 OF 10
DRAWING NO.
PP1







9TH STREET



7TH STREET

TITLE: LEXINGTON CLUB

PLAN & PROFILES

DSGN	VRD
DWN	EAM
CHKD	JCL
SCALE	1" = 100' H 1" = 10' V
06-9410-PP.DWG	

NO.	DATE	NATURE OF REVISION
5	10/28/12	PER CITY REVIEW MEETING 10/09/12
3	7/18/11	PER CITY COMMENTS
1	4/08/11	PER CITY COMMENTS

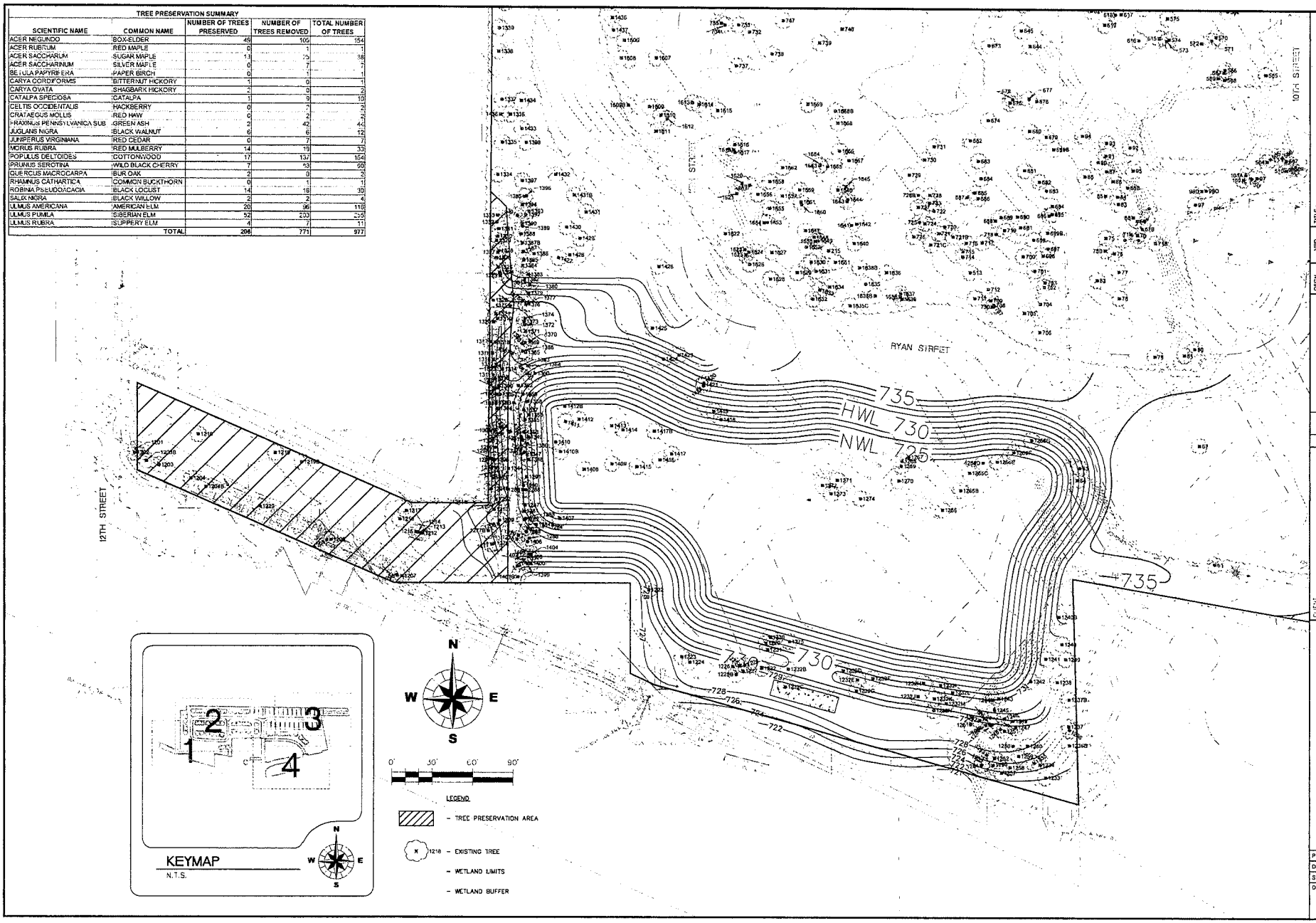
CLIENT:
LEXINGTON HOMES
1731 N. MARCEY ST., SUITE 200
CHICAGO, IL 60614
(773) 360-0300

WILLS BURKE KELSEY ASSOCIATES LTD.
116 West Main Street, Suite 201
St. Charles, Illinois 60174
(630) 443-7755

PROJECT NO 06-941D
DATE 12/17/2010
SHEET 6 OF 10
DRAWING NO
PP2

TREE PRESERVATION SUMMARY

SCIENTIFIC NAME	COMMON NAME	NUMBER OF TREES PRESERVED	NUMBER OF TREES REMOVED	TOTAL NUMBER OF TREES
ACER NEGUNDO	BOX-ELDER	49	105	154
ACER RUBRUM	RED MAPLE	0	1	1
ACER SACCHARUM	SUGAR MAPLE	13	25	38
ACER SACCHARINUM	SILVER MAPLE	0	7	7
BETULA PAPYRIFERA	PAPER BIRCH	0	1	1
CARYA CORDIFORMIS	BITTERNUT HICKORY	1	0	1
CARYA OVATA	SHAGBARK HICKORY	2	0	2
CATALPA SPECIOSA	CATALPA	1	9	10
CELTIS OCCIDENTALIS	HACKBERRY	0	2	2
CRATAEGUS MOLLIS	RED HAW	0	2	2
FRAXINUS PENNSYLVANICA SUB	GREEN ASH	2	42	44
JUGLANS NIGRA	BLACK WALNUT	6	6	12
JUNIPERUS VIRGINIANA	RED CEDAR	0	7	7
MORUS RUBRA	RED MULBERRY	14	19	33
POPULUS DELTOIDES	COTTONWOOD	17	137	154
PRUNUS SEROTINA	WILD BLACK CHERRY	7	53	60
QUERCUS MACROCARPA	BUR OAK	2	0	2
RHAMNUS CATHARTICA	COMMON BUCKTHORN	0	1	1
ROBINIA PSEUDOACACIA	BLACK LOCUST	14	16	30
SALIX NIGRA	BLACK WILLOW	2	2	4
ULMUS AMERICANA	AMERICAN ELM	20	96	116
ULMUS PUMILA	SIBERIAN ELM	32	223	255
ULMUS RUBRA	SLIPPERY ELM	4	7	11
TOTAL		208	771	977



CLIENT
LEXINGTON HOMES
1731 N. MARCEY ST., SUITE 200
CHICAGO, IL 60614
(773) 360-0300

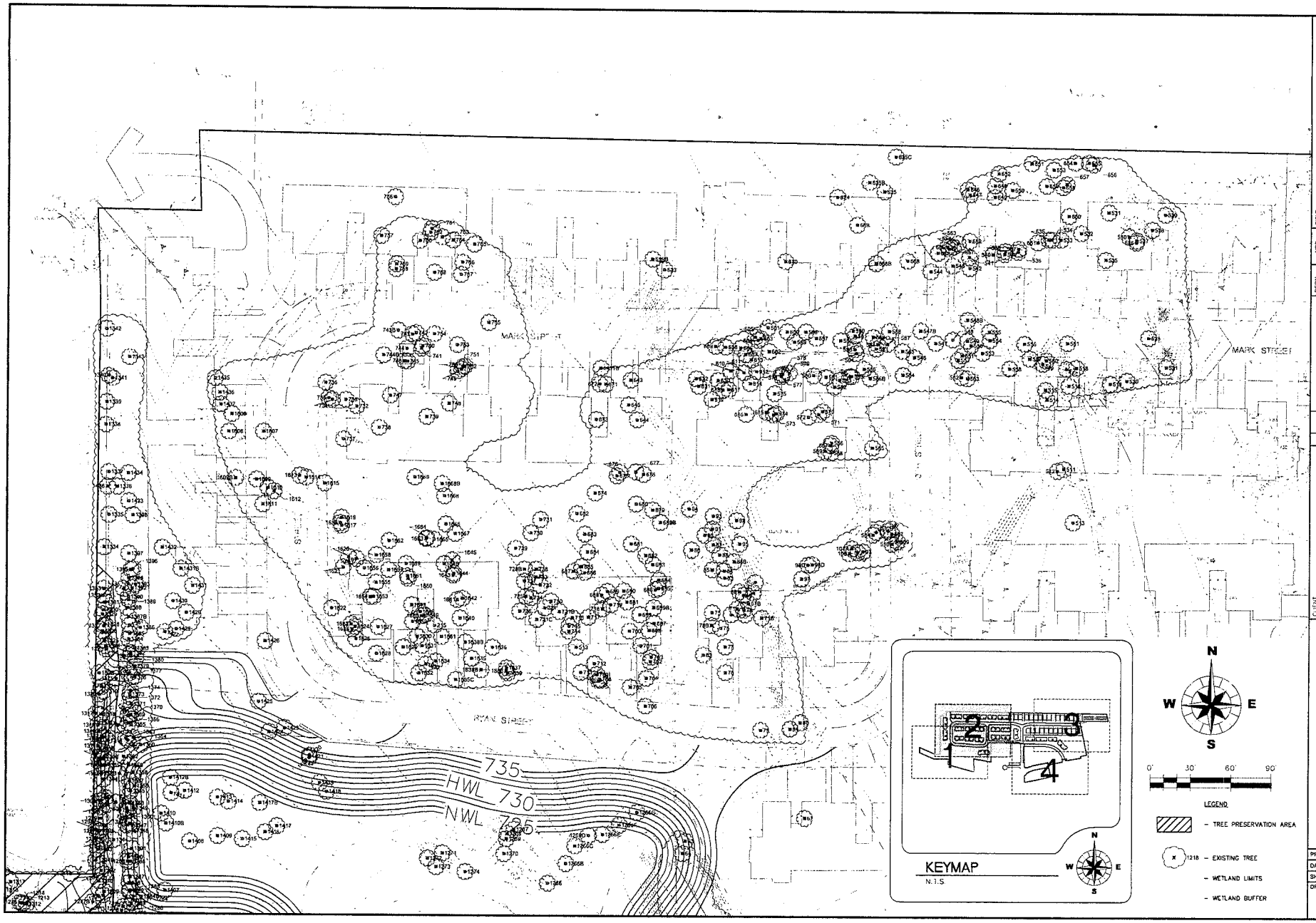
WILLS BURKE KELSEY ASSOCIATES LTD.
116 West Main Street, Suite 201
St. Charles, Illinois 60174
(630) 443-7755

NO.	DATE	NATURE OF REVISION
2	7/20/11	PER CITY OF COMMENTS
1	4/18/11	PER CITY OF ST. CHARLES

DSGN VRD
DWN EAM
CHKD. JCL
SCALE 1" = 100'
06-941D-TP.DWG

TITLE
LEXINGTON CLUB
TREE PRESERVATION PLAN

PROJECT NO. 06-941D
DATE 12/17/2010
SHEET 7 OF 10
DRAWING NO
TP1



NO.	DATE	NATURE OF REVISION
2	7/06/11	PER CITY COMMENTS
1	4/18/11	PER CITY OF ST. CHARLES

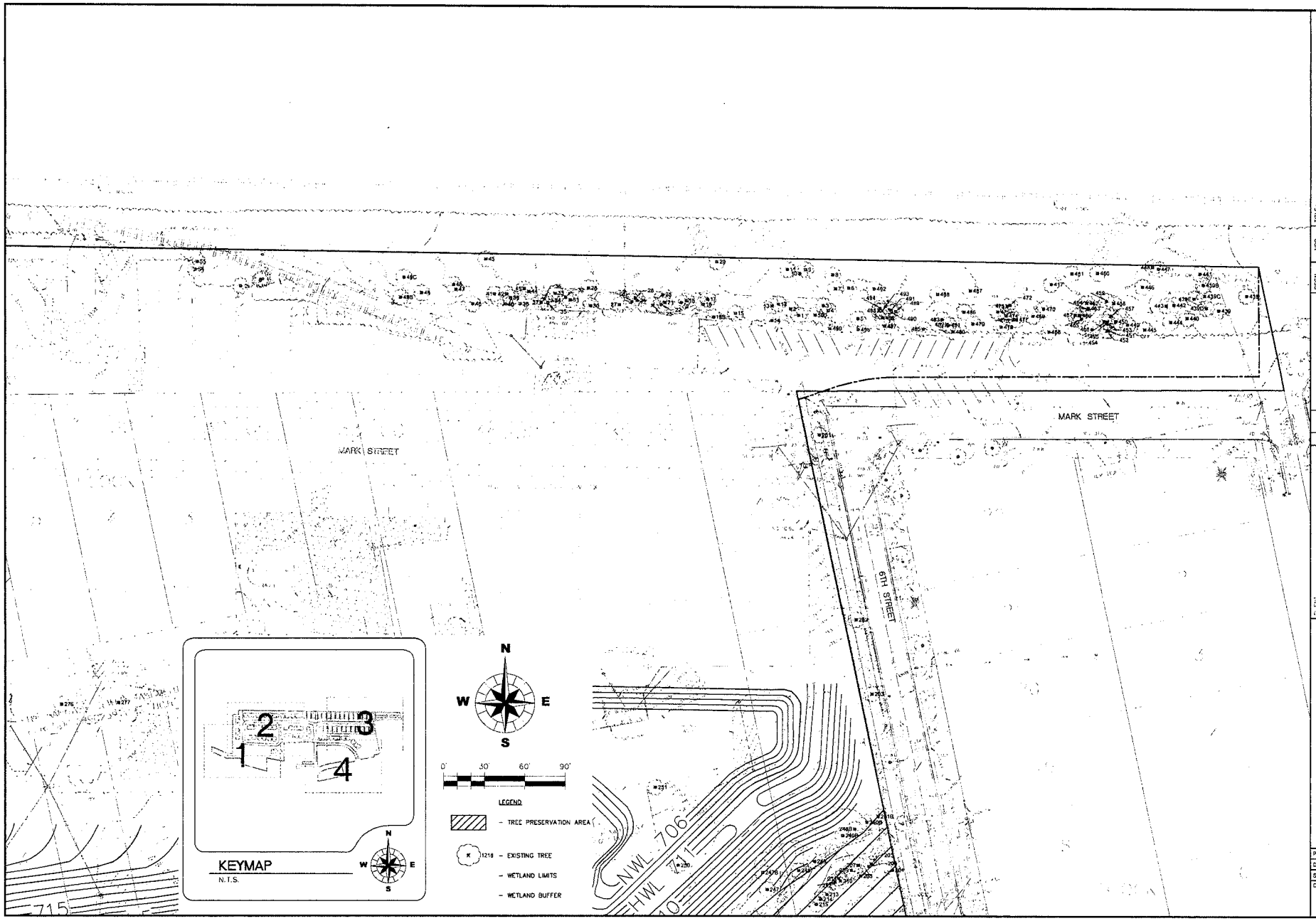
DSGN. VRD
DWN. EAM
CHKD. JCL
SCALE 1" = 100'
06-941D-TP.DWG

TITLE
LEXINGTON CLUB
TREE PRESERVATION PLAN

CLIENT
LEXINGTON HOMES
1731 N. MARCEY ST., SUITE 200
CHICAGO, IL 60614
(773) 360-0300

WILLS BURKE KELSEY ASSOCIATES LTD.
116 West Main Street, Suite 201
St. Charles, Illinois 60174
(630) 443-7755

PROJECT NO. 06-941D
DATE 12/17/2010
SHEET 8 OF 10
DRAWING NO
TP2



NO	DATE	NATURE OF REVISION
3	12/20/10	UPDATED LAND PLAN REVISED PER PLANNING
2	7/28/10	PER CITY COMMENTS
1	4/18/11	PER CITY OF ST. CHARLES

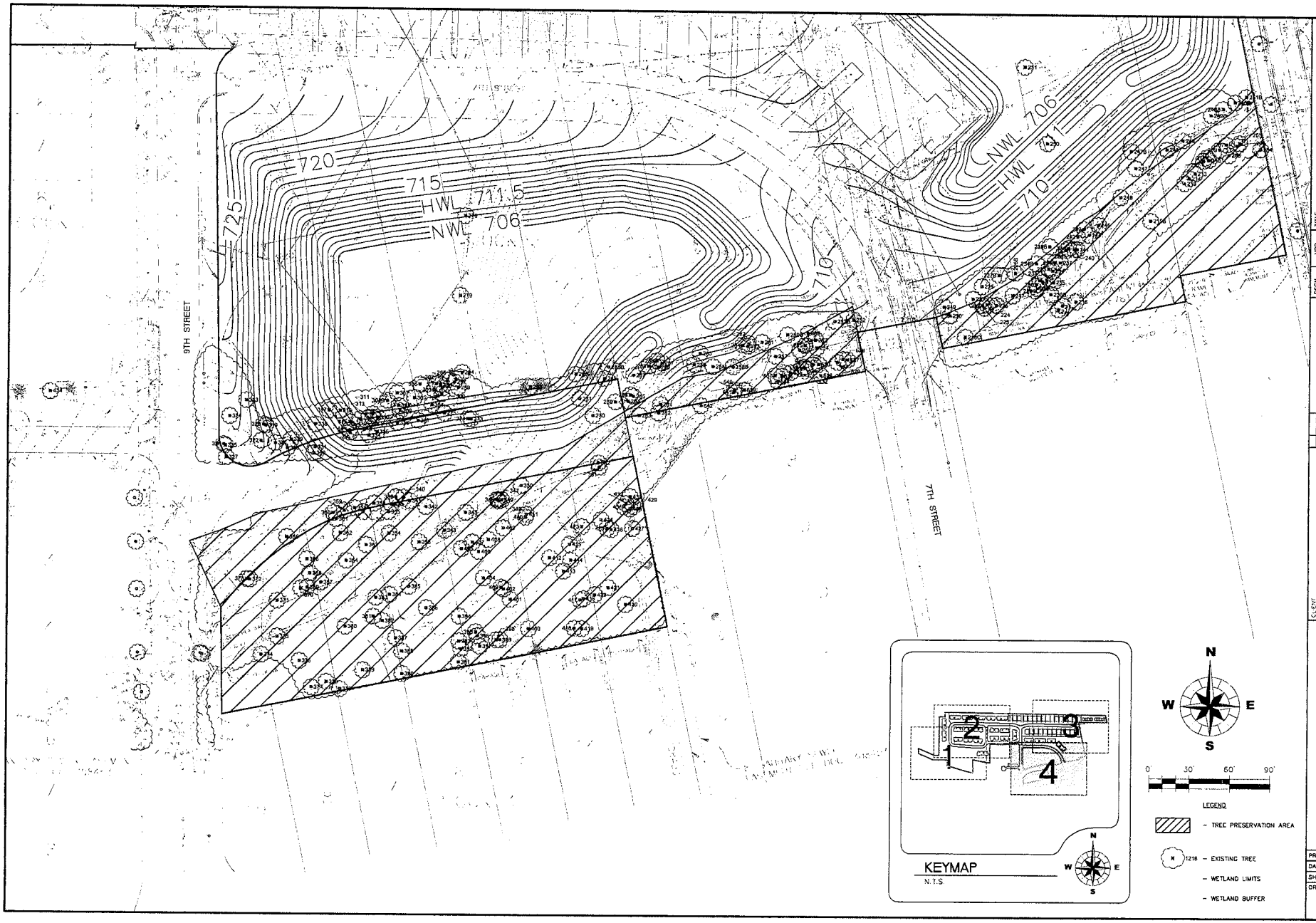
DSGN. VRD
DWN EAM
CHKD JCL
SCALE 1" = 100'
06-941D-TP.DWG

TITLE
LEXINGTON CLUB
TREE PRESERVATION PLAN

CLIENT
LEXINGTON HOMES
1731 N. MARCEY ST., SUITE 200
CHICAGO, IL 60614
(773) 360-0300

WILLS BURKE KELSEY ASSOCIATES LTD.
116 West Main Street, Suite 201
St. Charles, Illinois 60174
(630) 443-7755

PROJECT NO. 06-941D
DATE 12/17/2010
SHEET 9 OF 10
DRAWING NO.
TP3



TITLE: LEXINGTON CLUB

TREE PRESERVATION PLAN

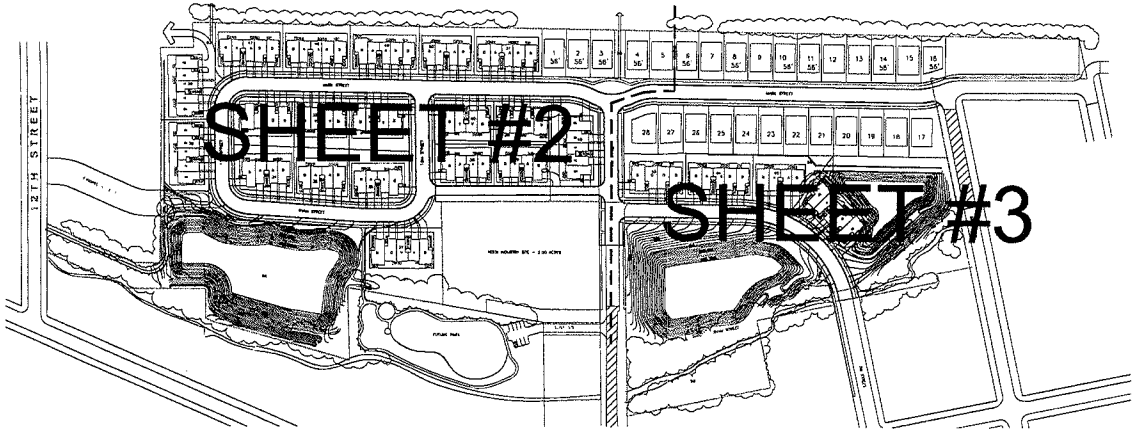
DSGN.	VRD
DWN	EAM
CHKD	JCL
SCALE 1" = 100'	
06-941D-TP.DWG	

NO.	DATE	NATURE OF REVISION
2	7/20/11	PER CITY COMMENTS
1	4/18/11	PER CITY OF ST. CHARLES

CLIENT: LEXINGTON HOMES
1731 N. MARCEY ST., SUITE 200
CHICAGO, IL 60614
(773) 360-0300

WILLS BURKE KELSEY ASSOCIATES LTD.
116 West Main Street, Suite 201
St Charles, Illinois 60174
(630) 443-7755

PROJECT NO. 06-941D
DATE 12/17/2010
SHEET 10 OF 10
DRAWING NO.
TP4



OVERALL SHEET KEY
NOT TO SCALE

PLANT KEY

SHADE TREES, 2.5"-4": AUTUMN BLAZE MAPLE, SUGAR MAPLE, CRIMSON KING NORWAY MAPLE, GINKGO, KENTUCKY COFFEETREE, SWAMP WHITE OAK, ACCOLADE ELM, THORNLESS HONEYLOCUST, LINDEN, & COMMON HACKBERRY

NOTE! ALL PARKWAY SHADE TREES WILL BE INSTALLED AT 2.5" CALIPER, WHILE COMMON AREA SHADE TREES WILL BE INSTALLED IN A RANGE OF SIZES, VARYING FROM 2.5" CALIPER TO 4" CALIPER.

EVERGREEN TREE, 6'-10': COLORADO SPRUCE, NORWAY SPRUCE, AUSTRIAN PINE, DOUGLAS FIR, & ARBORVITAE

ORNAMENTAL TREES, 8'-8': SERVICEBERRY, CORNELIANCHERRY DOGWOOD, FLOWERING CRABAPPLE, RIVER BIRCH, EUROPEAN BLACK ALDER, JAPANESE TREE LILAC, & BLACKHAW VIBURNUM

EVERGREEN SHRUBS, 24": KALLAY COMPACT JUNIPER, DENSE YEW, EMERALD & GOLD EUONYMUS, & EMERALD ARBORVITAE

LARGE, DECIDUOUS SHRUBS, 36": VIBURNUM, REDTWIG DOGWOOD, PEKING COTONEASTER, RED CHOKEBERRY, MEADOWLARK FORSYTHIA, LILAC, BURNING BUSH, HYDRANGEA, & WEIGELA

SMALL, DECIDUOUS SHRUBS, 24": SPIREA, ALPINE CURRANT, CRANBERRY COTONEASTER, CUTLEAF STEPHANANDRA, DIERVILLA, & GRO-LOW SUMAC

ORNAMENTAL GRASSES, 1 GAL.-3 GAL.: MAIDEN GRASS, KARL FOERSTER FEATHER REED GRASS, SWITCH GRASS, DWARF FOUNTAIN GRASS, & PRAIRIE DROPSEED

PERENNIALS & GROUNDCOVER, 3" POT-1 GAL.: DAYLILY, ASTER, COREOPSIS, BLACK EYED SUSAN, PURPLE CONEFLOWER, CRANESBILL, HOSTA, SEDUM, BLAZING STAR, & PURPLELEAF WINTERCREEPER

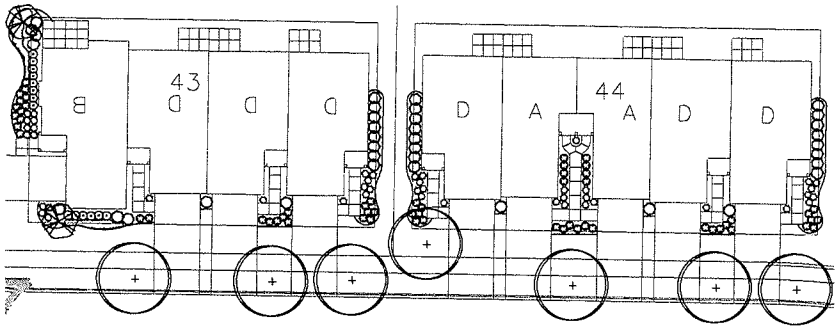
WET-MESIC NATIVE SEED MIX & EROSION CONTROL BLANKET (DETENTION AREA SLOPES): ACTUAL SPECIES & SIZES TO BE DETERMINED AT TIME OF FINAL PLANS

EMERGENT PLANTINGS (DETENTION AREA BASIN BOTTOMS): ACTUAL SPECIES & SIZES TO BE DETERMINED AT TIME OF FINAL PLANS

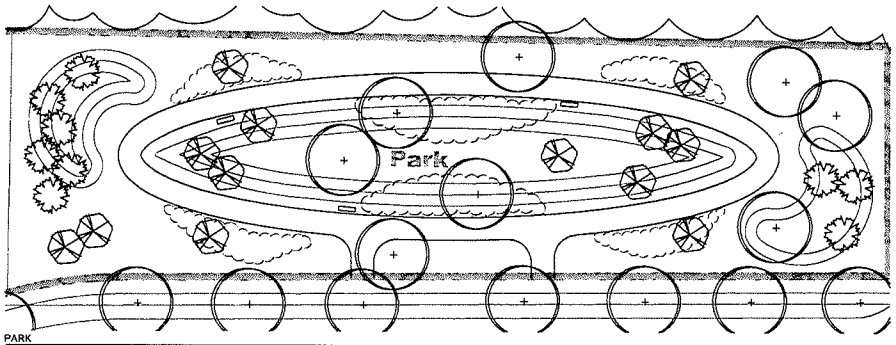
EXISTING TREES, WITH THE POTENTIAL TO BE PRESERVED

NOTE! REFER TO CIVIL ENGINEERING PLANS FOR ACTUAL TREE PRESERVATION & REMOVAL PLAN.

NOTES
1. ALL PLANTING BEDS AND TREE RINGS SHALL:
   - RECEIVE SHREDDED HARDWOOD MULCH AT A DEPTH OF 3"
   - HAVE A SPADED EDGE.
2. PLANTS SHALL:
   - BE ALLOWED TO GROW AND BE MAINTAINED IN THEIR NATURAL FORM
   - SHALL BE MAINTAINED IN GOOD CONDITION AT ALL TIMES. ALL DEAD, DISEASED, OR DAMAGED PLANT MATERIAL SHALL BE REPLACED PROMPTLY WITH LIVE MATERIAL IN GOOD CONDITION AND IN QUANTITIES AND SIZES THAT MEET THE REQUIREMENTS OF THE CITY.
   - BE INSTALLED IN ACCORDANCE WITH THE PLANTING PROCEDURES ESTABLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN.
3. ALL TURF TREATMENT SHALL BE KENTUCKY BLUEGRASS BLEND SOD, UNLESS OTHERWISE NOTED ON PLAN.
   - DETENTION AREA SLOPES SHALL BE TREATED WITH A NATURALIZED SEED MIX AND EROSION CONTROL BLANKET FROM NORMAL WATER LINE (NWL) TO HIGH WATER LINE (HWL); AREAS ABOVE THE HWL SHALL BE SEEDED WITH KENTUCKY BLUEGRASS BLEND SEED AND BLANKET.
   - A THREE-YEAR MONITORING AND MAINTENANCE PLAN, BY A QUALIFIED PROFESSIONAL, SHALL BE INCORPORATED INTO THE INITIAL CARE OF THE NATURALIZED PLANTING AREAS AROUND ALL DETENTIONS.
   - FRONT YARDS & SIDE YARDS OF SINGLE-FAMILY LOTS SHALL BE KENTUCKY BLUEGRASS BLEND SOD (MINERAL SOD ONLY, NO PEAT); REAR YARDS SHALL BE SEEDED WITH KENTUCKY BLUEGRASS BLEND SEED AND BLANKET.
   - FRONT & SIDE YARDS OF ROW HOUSES SHALL BE KENTUCKY BLUEGRASS BLEND SOD (MINERAL SOD ONLY, NO PEAT.)
4. LOCATIONS OF PLANT MATERIAL ARE SUBJECT TO CHANGE BASED ON FINAL ENGINEERING AND LOCATION OF SITE UTILITIES.
5. FOR SYMBOL/PLANT KEY, SEE THIS SHEET.
6. FOR TYPICAL FOUNDATION LANDSCAPE PLANS FOR TOWN HOUSES, SEE THIS SHEET.
   - TYPICAL FOUNDATION LANDSCAPES MAY VARY DUE TO NUMBER OF UNITS PER BUILDING AND/OR ORIENTATION, BUT SHALL REMAIN CONSISTENT IN PLANT MATERIAL TYPES, DESIGN INTENT, & PLANT INTENSITY.
   - TYPICAL FOUNDATIONS FOR SINGLE-FAMILY HOUSES SHALL BE DETERMINED AT TIME OF FINAL LANDSCAPE PLANS.
7. FOR PARK CONCEPT DESIGN DETAIL, SEE THIS SHEET.
8. FOR ARTISTIC RENDERING OF LANDSCAPE BUFFER ALONG INDUSTRIAL-USE NEIGHBORS, SEE SHEET #2.
9. FOR TREE PRESERVATION FENCE DETAIL, SEE SHEET #3.
10. FOR TREE PRESERVATION & REMOVAL PLAN, SEE ENGINEERING PLANS.



TYPICAL FOUNDTION LANDSCAPE PLAN - TOWN HOUSES
SCALE: 1" = 20'-0"



PARK
SCALE: 1" = 20'-0"

PUGSLEY & LAHAIE LTD.
LANDSCAPE ARCHITECTS AND CONTRACTORS
24414 N. Old Mcfarlany Rd., Lake Zurich, Illinois 60047-8904
Ph: 847.438.0013 fax: 847.438.0084 e-mail: pwrs@pugslaw.com

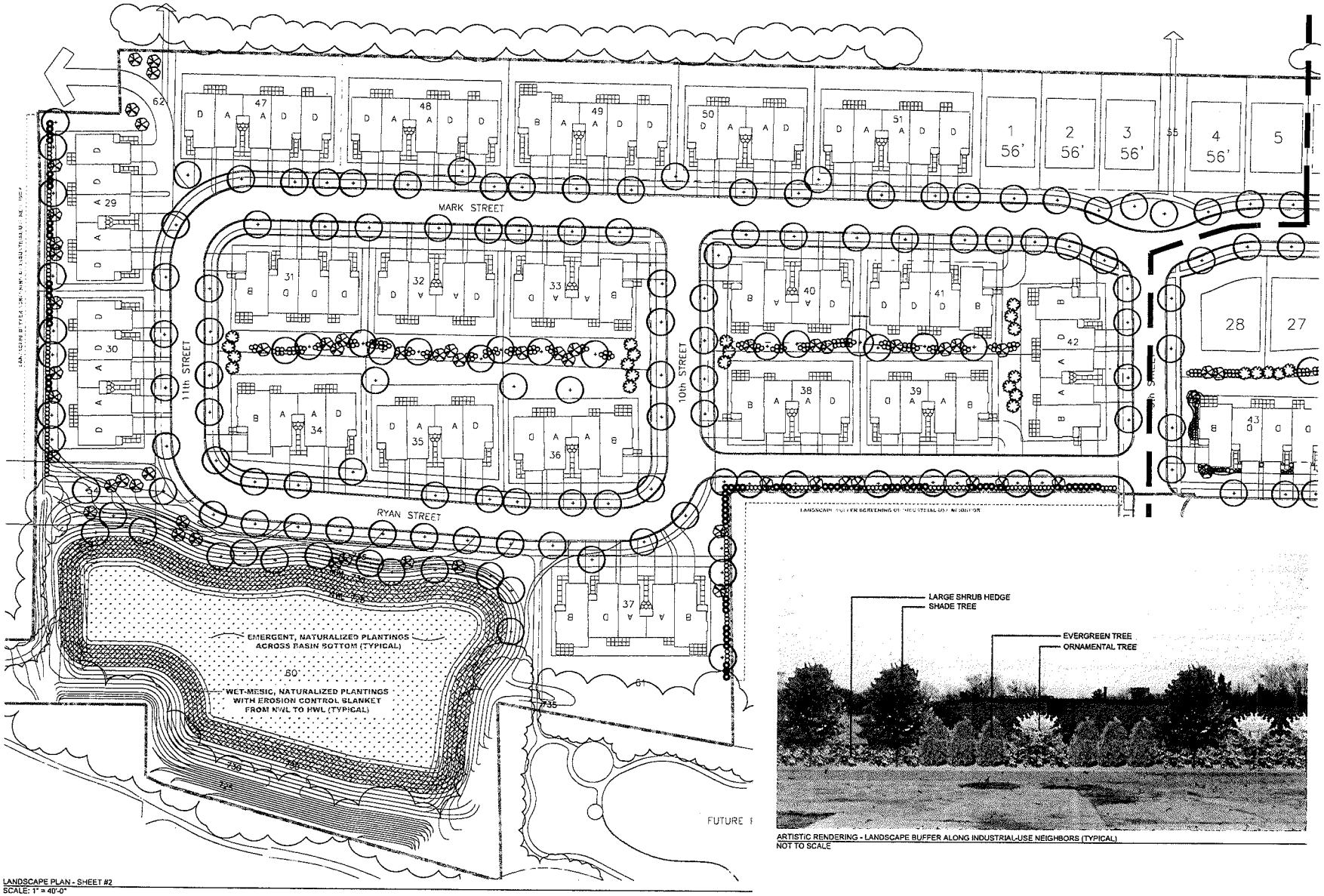
date	by	comments
12/11/09	PL	DRC comments
01/22/10	PL	DRC comments
03/22/11	PL	DRC comments
05/23/11	PL	DRC comments
06/27/11	PL	DRC comments
04/11/12	PL	For Hearing

scale: AS SHOWN
north

LEXINGTON CLUB
Preliminary Landscape Plan
LEXINGTON HOMES
Chicago, IL

date: 11/25/09
sheet: 1 of: 3
job no. 063703

THESE PLANS ARE INSTRUMENTS OF PROFESSIONAL SERVICE AND ARE PROTECTED BY COMMON LAW, STATUTORY AND OTHER RESERVED RIGHTS INCLUDING COPYRIGHT. THEY MAY NOT BE REPRODUCED OR USED FOR ANY PURPOSE WITHOUT THE WRITTEN CONSENT OF PUGSLEY & LAHAIE, LTD.



ARTISTIC RENDERING - LANDSCAPE BUFFER ALONG INDUSTRIAL-USE NEIGHBORS (TYPICAL)
NOT TO SCALE

LANDSCAPE PLAN - SHEET #2
SCALE: 1" = 40'-0"

NOTE! LOCATIONS OF PLANT MATERIAL ARE SUBJECT TO CHANGE BASED ON FINAL ENGINEERING AND LOCATION OF SITE UTILITIES.

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PUGSLEY & LAHAIE LTD.
LANDSCAPE ARCHITECTS AND CONTRACTORS
24414 N. Old Mchenry Rd. Lake Zurich, Illinois 60047-8904
Ph: 847-438-0013 Fax: 847-438-0024 e-mail: general@plslandscape.com

Revisions	
1	10/14/09 Per comments
2	10/21/09 Per comments
3	10/28/09 Per comments
4	11/04/09 Per comments
5	11/12/09 Per comments
6	11/20/09 Per Village Plan Review
7	11/24/09 Per Village Engineer

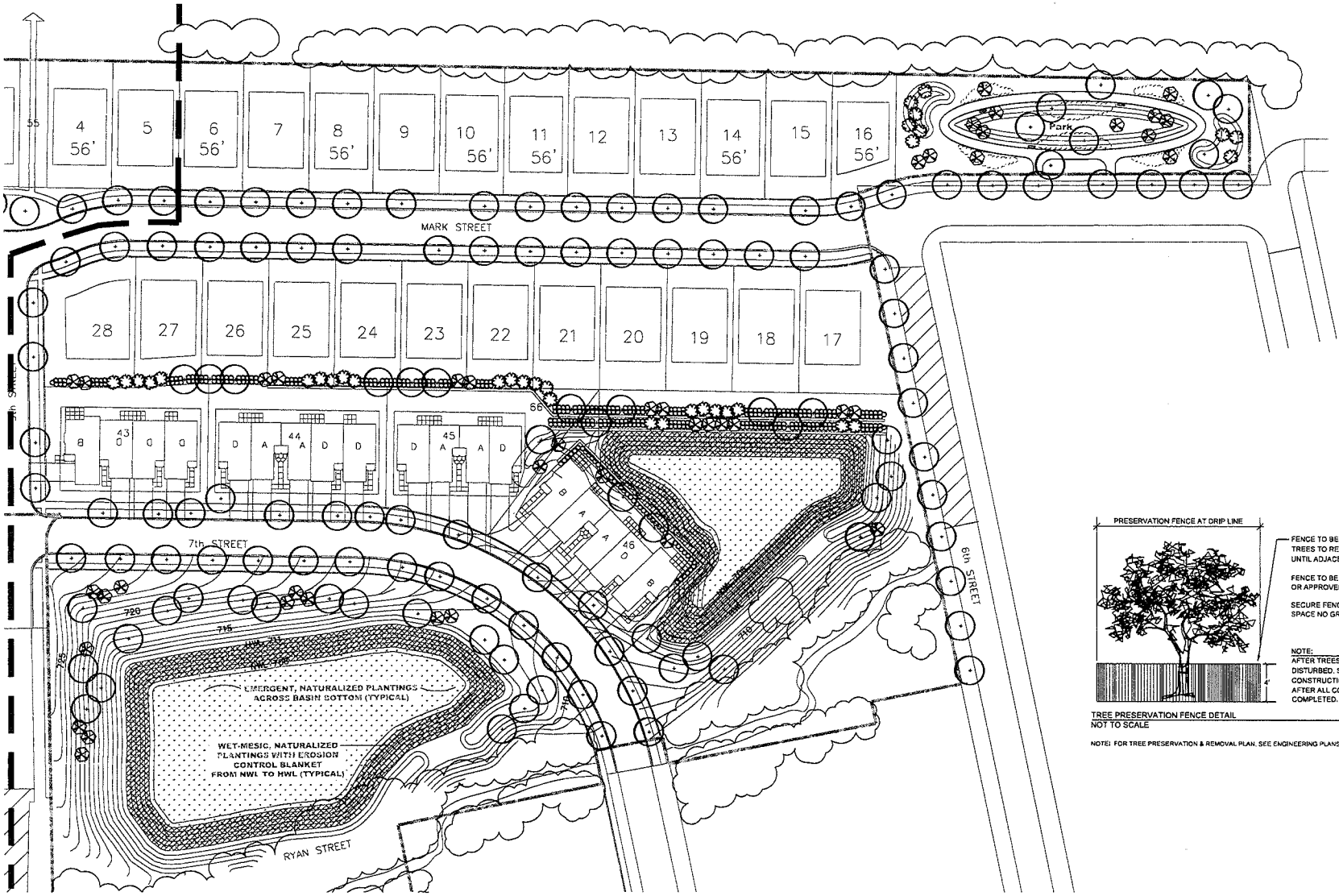
AS SHOWN

LEXINGTON CLUB
Preliminary Landscape Plan
LEXINGTON HOMES
Cities, IL

11/25/09

Sheet 2 of 3

Job no. 083703



LANDSCAPE PLAN - SHEET #3
SCALE: 1" = 60'-0"

NOTE: LOCATIONS OF PLANT MATERIAL ARE SUBJECT TO CHANGE BASED ON FINAL ENGINEERING AND LOCATION OF SITE UTILITIES.

FENCE TO BE PROVIDED AROUND ALL EXISTING TREES TO REMAIN. FENCE TO REMAIN IN PLACE UNTIL ADJACENT CONSTRUCTION IS COMPLETE.

FENCE TO BE 4' TALL, ROLLED WOOD LATHE OR APPROVED EQUAL.

SECURE FENCE TO METAL STAKES, SPACE NO GREATER THAN 8' O.C.

NOTE:
AFTER TREES ARE FENCED, NOTHING IS TO BE DISTURBED, STORED, OR CUT INSIDE CONSTRUCTION FENCE. REMOVE FENCE ONLY AFTER ALL CONSTRUCTION WORK HAS BEEN COMPLETED.

TREE PRESERVATION FENCE DETAIL
NOT TO SCALE

NOTE: FOR TREE PRESERVATION & REMOVAL PLAN, SEE ENGINEERING PLANS.

PUGSLEY & LAHAIE LTD.
LANDSCAPE ARCHITECTS AND CONTRACTORS
24414 N. Old Mchenry Rd. Lake Zurich, Illinois 60047-8904
Ph. 847.438.0013 Fax. 847.438.0006 e-mail pwnerd@pslangra.com

No.	Date	By	Comments
1	12/7/10	PW	per comments
2	01/20/11	PW	per comments
3	02/28/11	PW	per comments
4	05/13/11	PW	per comments
5	06/17/11	PW	per comments
6	04/04/12	PW	per Village Review

scale: AS SHOWN

north

LEXINGTON CLUB
Preliminary Landscape Plan
LEXINGTON HOMES
Chicago, IL

date: 11/25/09

sheet: 3 of: 3

job no. 083703

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Plan 500 & 503: Prairie

scale: 3/16" = 1'-0"

Plan 500: Craftsman

scale: 3/16" = 1'-0"

Plan 501: Farmhouse

scale: 3/16" = 1'-0"

Plan 501: French Country

scale: 3/16" = 1'-0"

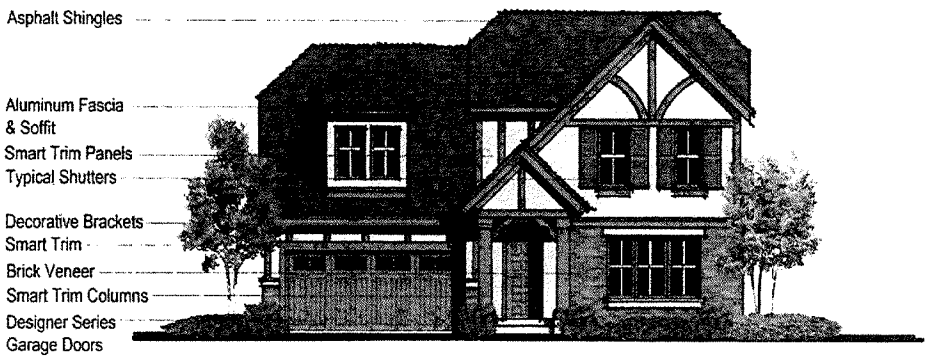
Character Elevations

Lexington Homes
Chicago, IL

Lexington Club
St. Charles, IL

July 21, 2011

BSB DESIGN

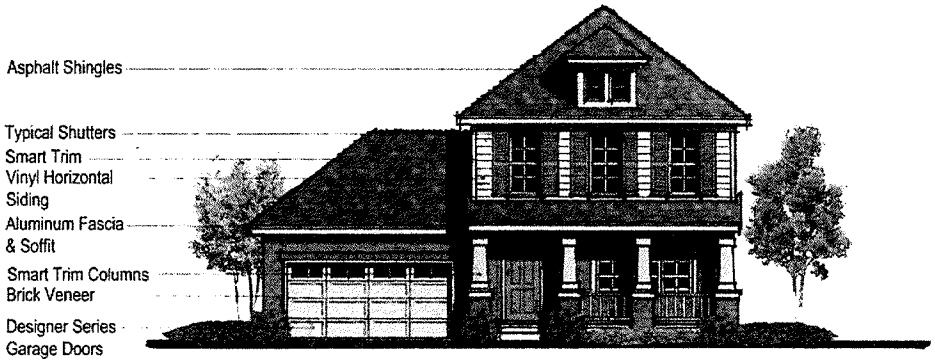


Plan 502: Tudor

scale: 3/16" = 1'-0"

Plan 502: Victorian

scale: 3/16" = 1'-0"



Plan 503: Four Square

scale: 3/16" = 1'-0"

Plan 503: Old English

scale: 3/16" = 1'-0"

Character Elevations

Lexington Club
St. Charles, IL

Lexington Homes
Chicago, IL

July 21, 2011

BSB DESIGN

Plan 500 & 503: Prairie - Side Elevation

scale: 3/16" = 1'-0"

Plan 500: Craftsman - Side Elevation

scale: 3/16" = 1'-0"

Plan 501: Farmhouse - Side Elevation

scale: 3/16" = 1'-0"

Plan 501: French Country - Side Elevation

scale: 3/16" = 1'-0"

Character Elevations

Lexington Club

St. Charles, IL

July 21, 2011

Lexington Homes
Chicago, Illinois

BSB DESIGN

Front Elevation - 4 Unit Building
scale: 3/16" = 1'-0"

Front Elevation - 5 Unit Building
scale: 3/16" = 1'-0"

Character Elevations

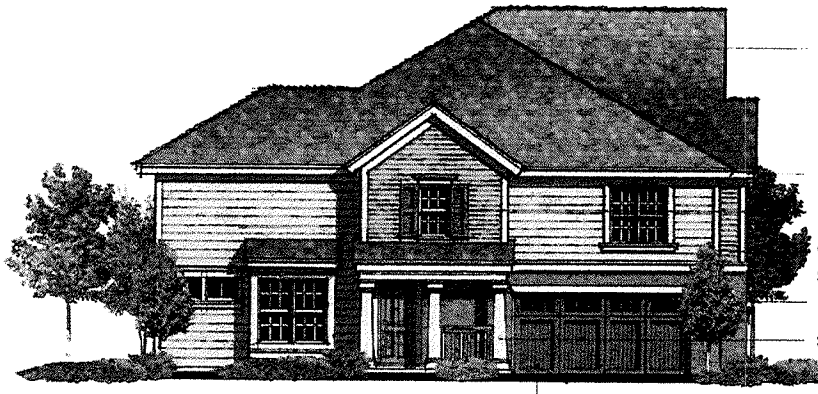
Lexington Club
St. Charles, IL

Lexington Homes
Chicago, IL

July 21, 2011

BSB DESIGN

Side Elevation - Unit B
scale: 3/16" = 1'-0"



Side Elevation - Unit C
scale: 3/16" = 1'-0"

Rear Elevation - 4 Unit Building
scale: 3/16" = 1'-0"

Character Elevations

Lexington Club
St. Charles, IL

Lexington Homes
Chicago, IL

July 21, 2011

BSB DESIGN

EXHIBIT "F"

AFFORDABLE HOUSING AGREEMENT

This Affordable Housing Agreement (hereinafter referred to as the "Agreement") is made and entered into as of the _____ day of _____, 2013, by and between the City of St. Charles, a municipal corporation (the "City"), organized and incorporated under the laws of the State of Illinois and Lexington Homes, LLC, an Illinois limited liability company (the "Developer"; the City and the Developer each known individually as a "Party" and collectively as the "Parties").

RECITALS

WHEREAS, the Developer is the owner of the real estate legally described on Exhibit "A", attached hereto and made a part hereof (the "Subject Realty"); and

WHEREAS, the Developer has filed applications with the City regarding the Subject Realty for, among other things, (a) a zoning map amendment, (b) a special use for a planned unit development, and (c) certain deviations from the City's Zoning Ordinance, in order to allow construction of a residential development consisting of 102 two-story townhomes and 28 single family detached homes, all as more specifically described in Ordinance No. 2013-Z-_____, passed by the City on _____, 2013 (the "Project"); and

WHEREAS, one of the deviations requested by the Developer is exemption from the requirements of Chapter 17.18 of the City's Zoning Ordinance regarding inclusionary housing; and

WHEREAS, as a condition of approving such a deviation, the Developer is required to take certain actions to seek funding for providing Affordable Housing (as defined in the Zoning Ordinance) on the Subject Realty, and to enter in to this Agreement in connection therewith.

NOW, THEREFORE, in consideration of the foregoing premises and in further consideration of the mutual covenants, conditions and agreements herein contained, the Parties hereto agree as follows:

Section 1. Incorporation of Recitals. The recitals set forth in the foregoing recitals are material to this Agreement and are hereby incorporated into and made a part of this Agreement as though they were fully set forth in this Section 1, and this Agreement shall be construed in accordance therewith.

Section 2. Application for Affordable Housing Funding. Commencing with the execution of this Agreement, and until the last certificate of occupancy is granted for the Project, the Developer shall apply for grant funding for the purpose of obtaining financing for the construction of Affordable Housing as part of the Project. At a minimum, application shall be made to Kane County Office of Community Reinvestment, Illinois Housing Development Authority, and the U.S. Department of Housing and Urban Development for all programs for which the project may qualify.

Applications shall be made each calendar year, or grant funding cycle, whichever is more frequent. The Developer shall provide copies of each funding application to the City for review prior to filing such application. In the event the project does not qualify for any program offered during the calendar year or grant funding cycle, the developer shall provide documentation demonstrating that the project does not qualify or shall provide a letter confirming such from each respective agency.

Section 3. Use of Funds. Should the Developer obtain any of the grant funding applied for, it shall utilize the funds to construct Affordable Housing on the Subject Realty as part of the Project, in conformance with all applicable laws, ordinances and regulations.

Section 4. Meeting with Housing Commission. Upon filing the first grant application, the Developer shall meet with the Housing Commission of the City to discuss strategies and activities related to the Developer's obligations hereunder. Additional meetings shall occur periodically thereafter, pursuant to the request of either Party.

Section 5. Failure to Comply. Should the Developer fail to comply with the terms of this Agreement at any time during construction of the Project, the City may declare the Developer to be in default by providing written notice to the Developer. Upon such written notice, the requirements of Chapter 17.18 of the City's Zoning Ordinance shall apply to all remaining housing units comprising the Project which have not, at the time of such written notice, received a final occupancy permit.

Section 6. Miscellaneous Provisions.

(a) *Mutual Cooperation.* The Parties shall do all things necessary or appropriate to carry out the terms and provisions of this Agreement and to aid and assist each other in furthering the objectives of this Agreement and the intent of the Parties as reflected by the terms of this Agreement.

(b) *Disclaimer.* Nothing contained in this Agreement, nor any act of the City, shall be deemed or construed by any of the Parties, or by third persons, to create any relationship of third Party beneficiary, or of principal or agent, or of limited or general partnership, or of joint venture, or of any association or relationship involving the City or the Developer.

(c) *Covenants Running with the Land.* It is intended and agreed that all covenants provided in this Agreement on the part of the Developer to be performed or observed shall be covenants running with the land binding to the fullest extent permitted by law and equity for the benefit and in favor of, and enforceable by the City, and any successor in interest to the Subject Realty, other than individual owners of residential units constructed on the Subject Realty.

(d) *Paragraph Headings.* The paragraph headings and references are for the convenience of the parties and are not intended to limit, vary, define or expand the terms and provisions contained in this Agreement and shall not be used to interpret of construe the terms and provisions of this Agreement.

(e) *Counterparts.* This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same Agreement.

(f) *Recordation of Agreement.* The Parties agree to execute and deliver the original of this Agreement in proper form for recording in the office of the Recorder of Deeds, Kane County, Illinois.

(g) *Notices.* Notices herein required shall be in writing and shall be served upon the Parties, either personally or mailed by certified or registered mail, return receipt requested:

If to the City:

City Administrator
City of St. Charles
2 East Main Street
St. Charles, Illinois 60174

with a copy to:

Gorski & Good, LLP
211 South Wheaton Avenue, Suite 305
Wheaton, Illinois 60187
Attn: Ms. Robin Jones

If to Developer:
Lexington Homes, LLC
1731 N. Marcey Street, Suite 200
Chicago, Illinois 60614

with a copy to:

Rathje & Woodward, LLC
300 E. Roosevelt Road, Suite 300
Wheaton, IL 60187
Attn: Mr. Henry Stillwell

If to any Mortgagee: To the person and address designated to the City in writing by the Mortgagee.

A Party's address may be changed from time to time by such Party giving notice as provided above to the other Parties noted above.

(h) *Integration.* This Agreement together with all Exhibits and attachments thereto, constitute the entire understanding and agreement of the Parties. This Agreement integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the Parties with respect to all or any part of the subject matter hereof.

All waivers of the provisions of this Agreement must be in writing and signed by the appropriate authorities of the City or the Developer.

(i) *Amendment.* This Agreement, and any Exhibit attached hereto, may be amended only by written instrument properly executed by the Parties or their successors in interest. Execution of any such amendment by the City shall first have been authorized by the Ordinance or Resolution duly adopted by the corporate authorities of the City.

(j) *Successors and Assignees.* The terms and conditions of this Agreement are to apply to and bind and inure to the benefit of the City, the Developer and their successors and assignees.

(k) *Severability.* If any provision of this Agreement, or any paragraph, sentence, clause, phrase or word, or the application thereof, in any circumstances, is held invalid, the remainder of the Agreement shall be construed as if such invalid part were never included herein and the Agreement shall be and remain valid and enforceable to the fullest extent permitted by law.

(l) *Term.* This Agreement shall be in full force and effect from and after the execution hereof by the last Party to execute the same and shall remain in full force and effect until final completion of the Project, as evidenced by issuance of a final occupancy certificate for the last unit comprising the Project.

(m) *Governing Law.* The laws of the State of Illinois shall govern the interpretation and enforcement of this Agreement.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed on or as of the day and year first above written.

CITY OF ST. CHARLES, an Illinois municipal corporation,

By:_____
Mayor

ATTEST:

_____
City Clerk

_____, an Illinois limited liability company

By:_____
Its:_____

ATTEST:

_____

STATE OF ILLINOIS)
) SS.
COUNTY OF KANE)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Donald P. DeWitte, Mayor of the City of St. Charles, and Nancy Garrison, City Clerk of said City, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Mayor and City Clerk, respectively appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said City, for the uses and purposes therein set forth; and the City Clerk then and there acknowledged that she, as custodian of the corporate seal of said City, did affix the corporate seal of said City to said instrument, as her own free and voluntary act and as the free and voluntary act of said City, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this _____ day of _____, 2013.

_____
Notary Public

STATE OF ILLINOIS)
) SS.
COUNTY OF KANE)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that _____, _____of _____, an Illinois limited liability company, and _____, _____ of said company, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such _____ and _____, respectively appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said company, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this ___ day of _____, 2013.

_____
Notary Public

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT REALTY

SUBJECT PROPERTY:
PARCEL ONE:
LOT 2 (EXCEPT THE SOUTHERLY 116 FEET); ALL OF LOTS 3 AND 4 IN BLOCK 2 OF T. E. RYAN'S ADDITION TO ST. CHARLES, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.
PARCEL TWO:
LOTS 1, 2, 3, 4, 5, 6 AND 7 IN BLOCK 1 AND LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 AND 18 IN BLOCK 2; LOTS 1, 2, 3, 4, 5 AND 6 IN BLOCK 3 AND LOTS 1, 2, 3, 4, 5 (EXCEPT THAT PART OF LOT 5 CONVEYED BY DOCUMENT 1788487 RECORDED AUGUST 19, 1986) AND THE NORTH 30 FEET OF LOT 11 IN BLOCK 5, AND THAT
PART OF VACATED NINTH STREET NORTH OF THE SOUTH LINE EXTENDED EASTERLY OF LOT 5 IN SAID BLOCK 5 AND VACATED MARK STREET, AND THE NORTH 1/2 OF VACATED RYAN STREET LYING EASTERLY OF THE WESTERLY LINE OF LOT 13, BLOCK 2 EXTENDED AND LYING WESTERLY OF THE WESTERLY LINE OF SEVENTH STREET, ALL IN MILLINGTON'S THIRD ADDITION TO ST. CHARLES, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.
PARCEL THREE:
THAT PART OF THE SOUTH EAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE WEST LINE OF SAID SOUTH EAST 1/4 WITH THE NORTHERLY LINE OF DEAN STREET; THENCE SOUTH 66 DEGREES, 13 MINUTES, 0 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID DEAN STREET 1043 FEET; THENCE NORTH 2 DEGREES, 44 MINUTES, 0 SECONDS EAST 150 FEET (SAID POINT HEREINAFTER REFERRED TO AS POINT "A"); THENCE SOUTH 64 DEGREES, 34 MINUTES, 0 SECONDS EAST 149.92 FEET; THENCE NORTH 1 DEGREES, 31 MINUTES, 0 SECONDS WEST, 62 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 1 DEGREES, 31 MINUTES, 0 SECONDS WEST, 651.43 FEET; THENCE SOUTH 89 DEGREES, 45 MINUTES, 0 SECONDS WEST 135.80 FEET; THENCE NORTH 7.90 FEET; THENCE SOUTH 89 DEGREES, 20 MINUTES, 0 SECONDS WEST 282.40 FEET; THENCE SOUTH 00 DEGREES, 27 MINUTES, 10 SECONDS WEST 490.78 FEET; THENCE EAST 106 FEET; THENCE SOUTH 67.19 FEET TO A LINE DRAWN NORTH 64 DEGREES, 34 MINUTES, 0 SECONDS WEST FROM POINT "A" AFORESAID; THENCE SOUTH 64 DEGREES, 34 MINUTES, 0 SECONDS EAST 19.73 FEET; THENCE
SOUTH 74 DEGREES, 16 MINUTES, 30 SECONDS EAST 327.76 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.
PARCEL FOUR:
THAT PART OF THE SOUTH EAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTH EAST 1/4; THENCE EAST 396.08 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID SOUTH EAST 1/4 TO A POINT 150 FEET NORTH OF THE NORTHERLY LINE OF DEAN STREET, FOR THE POINT OF BEGINNING; THENCE SOUTH 66 DEGREES, 13 MINUTES, 0 SECONDS EAST PARALLEL WITH THE NORTHERLY LINE OF DEAN STREET, 208.7 FEET (THIS COURSE HEREINAFTER REFERRED TO AS LINE "A") THENCE EAST 69 FEET; THENCE NORTH 0 DEGREES, 27 MINUTES, 10 SECONDS EAST 60 FEET; THENCE WEST 56.84 FEET TO A LINE DRAWN PARALLEL WITH AND 60 FEET NORTHERLY OF, MEASURED AT RIGHT ANGLES THERETO, LINE "A" AFORESAID; THENCE NORTH 66 DEGREES, 13 MINUTES, 0 SECONDS WEST ALONG SAID PARALLEL LINE, 222.51 FEET TO A LINE DRAWN NORTH, PARALLEL WITH THE WEST LINE OF SAID SOUTH EAST 1/4, FROM THE POINT OF BEGINNING; THENCE SOUTH ALONG SAID PARALLEL LINE 65.57 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.
PARCEL FIVE:
THAT PART OF THE SOUTH EAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF BLOCK 2 OF MILLINGTON'S ADDITION TO THE TOWN OF ST. CHARLES; THENCE NORTH 11 DEGREES, 37 MINUTES, 0 SECONDS WEST ALONG THE EASTERLY LINE OF WEST

SEVENTH STREET EXTENDED, 356 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 78 DEGREES, 46 MINUTES, 0 SECONDS EAST 186.2 FEET TO THE WESTERLY LINE OF BLOCK 2 OF T. E. RYAN'S ADDITION TO ST. CHARLES; THENCE NORTH 11 DEGREES, 48 MINUTES, 0 SECONDS WEST ALONG SAID WESTERLY LINE 481.9 FEET TO THE SOUTH RIGHT OF WAY LINE OF THE CHICAGO AND GREAT WESTERN RAILWAY; THENCE SOUTH 89 DEGREES, 30 MINUTES, 0 SECONDS WEST ALONG SAID RIGHT OF WAY LINE TO THE NORTHEAST CORNER OF MILLINGTON'S THIRD ADDITION TO ST. CHARLES; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID MILLINGTON'S THIRD ADDITION TO THE SOUTHEAST CORNER OF BLOCK 2 IN SAID ADDITION; THENCE EASTERLY ALONG THE SOUTHERLY LINE EXTENDED EASTERLY OF SAID BLOCK 2 TO THE EASTERLY LINE OF WEST SEVENTH STREET EXTENDED; THENCE SOUTH 11 DEGREES, 37 MINUTES, 0 SECONDS EAST ALONG SAID EASTERLY LINE TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

PARCEL SIX:

THAT PART OF THE SOUTH EAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF MILLINGTON'S THIRD ADDITION TO ST. CHARLES, ON THE NORTHERLY LINE OF DEAN STREET; THENCE NORTH 66 DEGREES, 07 MINUTES, 0 SECONDS WEST ALONG SAID NORTHERLY LINE OF DEAN STREET 335.3 FEET TO THE SOUTHEAST CORNER OF THE TRACT OF LAND CONVEYED TO JULES VANOVERMEIREN BY DEED DATED DECEMBER 18, 1925, AND RECORDED DECEMBER 26, 1925 IN BOOK 788, PAGE 548, AS DOCUMENT 266367; THENCE NORTH ALONG THE EAST LINE AND THE EAST LINE EXTENDED OF SAID TRACT OF LAND 174 FEET; THENCE NORTH 60 DEGREES, 19 MINUTES, 0 SECONDS WEST, 168.19 FEET; THENCE NORTH 1 DEGREES, 29 MINUTES, 0 SECONDS WEST 188.59 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 1 DEGREES, 29 MINUTES, 0 SECONDS WEST 479.71 FEET TO THE SOUTHERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND GREAT WESTERN RAILROAD COMPANY; THENCE NORTH 89 DEGREES, 31 MINUTES, 0 SECONDS EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 456.2 FEET TO THE NORTHWEST CORNER OF SAID MILLINGTON'S THIRD ADDITION; THENCE SOUTH 1 DEGREE EAST ALONG THE WEST LINE OF SAID ADDITION 285 FEET; THENCE SOUTH 89 DEGREES, 31 MINUTES, 0 SECONDS WEST 132 FEET; THENCE SOUTH 1 DEGREES, 04 MINUTES, 0 SECONDS EAST 255.77 FEET TO A POINT SOUTH 80 DEGREES, 02 MINUTES, 0 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 80 DEGREES, 02 MINUTES, 0 SECONDS WEST 325.65 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS, EXCEPTING THEREFROM THE FOLLOWING: THAT PART OF THE SOUTH EAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF MILLINGTON'S THIRD ADDITION TO ST. CHARLES, KANE COUNTY, ILLINOIS; THENCE SOUTH 1 DEGREES, 04 MINUTES, 0 SECONDS EAST ALONG THE WEST LINE OF SAID ADDITION 285.0 FEET; THENCE SOUTH 89 DEGREES, 31 MINUTES, 0 SECONDS WEST 132.0 FEET; THENCE SOUTH 1 DEGREES, 04 MINUTES, 0 SECONDS EAST PARALLEL WITH SAID WEST LINE 255.77 FEET FOR A POINT OF BEGINNING; THENCE NORTH 1 DEGREES, 04 MINUTES, 0 SECONDS WEST ALONG THE LAST DESCRIBED COURSE 255.77 FEET; THENCE SOUTH 89 DEGREES, 31 MINUTES, 0 SECONDS WEST 100.00 FEET; THENCE SOUTH 1 DEGREES, 04 MINUTES, 0 SECONDS EAST PARALLEL WITH SAID WEST LINE 237.41 FEET TO A LINE DRAWN NORTH 80 DEGREES, 06 MINUTES, 0 SECONDS WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 80 DEGREES, 06 MINUTES, 0 SECONDS EAST 101.86 FEET TO THE POINT OF BEGINNING (EXCEPT THAT PART CONVEYED BY DOCUMENT 1788487 RECORDED AUGUST 19, 1986), IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

PARCEL SEVEN:

EASEMENT FOR PRIVATE ROADWAY RESERVED BY DEED RECORDED JULY 16, 1957, IN BOOK 1855, PAGE 119, AS DOCUMENT 839306, MADE BY HAWLEY PRODUCT COMPANY TO CARL E. SODERQUIST AND SONS FOR THE BENEFIT OF THE NORTH 30 FEET OF LOT 11 IN BLOCK 5 OF MILLINGTON'S THIRD ADDITION TO ST. CHARLES IN PARCEL TWO, OVER THAT PART OF THE SOUTH EAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF MILLINGTON'S THIRD ADDITION TO ST. CHARLES; THENCE SOUTH 1 DEGREE EAST ALONG THE WEST LINE OF SAID ADDITION 535 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 1 DEGREE EAST 30 FEET; THENCE NORTH 80 DEGREES, 02 MINUTES, 0 SECONDS WEST

134.45 FEET; THENCE NORTH 1 DEGREE WEST PARALLEL WITH THE WEST LINE OF SAID ADDITION 30 FEET; THENCE SOUTH 80 DEGREES, 02 MINUTES, 0 SECONDS EAST 134.45 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

PARCEL EIGHT:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 27 AND THE SOUTH EAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF FIFTH STREET (STATE ROUTE 31) AS PLATTED IN THE CITY OF ST. CHARLES WITH THE SOUTH LINE OF A TRACT OF LAND DESCRIBED IN A WARRANTY DEED DATED JUNE 2, 1886, BETWEEN JOHN WARNE, AND OTHERS, AND THE MINNESOTA AND NORTH WESTERN RAILROAD COMPANY, FILED FOR RECORD IN THE RECORDER'S OFFICE OF KANE COUNTY ON JUNE 4, 1886, IN BOOK 243 ON PAGE 17; THENCE WESTERLY ALONG THE SOUTH LINE BY SAID WARRANTY DEED, BEING ALONG THE SOUTH RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY, A DISTANCE OF 1857.64 FEET TO A JOG IN SAID SOUTH RIGHT OF WAY LINE; THENCE NORTHERLY ALONG SAID JOG, A DISTANCE OF 7.90 FEET; THENCE WESTERLY ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 282.85 FEET TO A JOG IN SAID SOUTH RIGHT OF WAY LINE; THENCE NORTHERLY, ALONG SAID JOG, A DISTANCE OF 127.46 FEET TO A POINT ON A LINE THAT IS 50.0 FEET SOUTH OF AND PARALLEL WITH THE CENTER LINE OF THE MAIN TRACK OF THE CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY; THENCE EASTERLY ALONG SAID PARALLEL LINE, A DISTANCE OF 2126.02 FEET TO THE CENTER LINE OF 5TH STREET (STATE ROUTE 31) AS AFORESAID; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE, A DISTANCE OF 93.59 FEET TO THE POINT OF BEGINNING, BEING SITUATED IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS EXCEPTING THEREFROM THE FOLLOWING DESCRIBED LAND

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LAND CONVEYED TO THE CITY OF ST. CHARLES BY DOCUMENT NO. 910272, SAID POINT BEING 50.00 FEET NORMALLY DISTANT SOUTHERLY FROM THE UNION PACIFIC RAILROAD MAIN TRACK CENTER LINE; THENCE SOUTH 89 DEGREES 11 MINUTES EAST, 76.35 FEET, PARALLEL WITH SAID MAIN TRACK CENTER LINE; THENCE SOUTH 1 DEGREES 53 MINUTES EAST, 60.06 FEET, PARALLEL WITH THE EAST LINE OF SAID LAND CONVEYED BY DOCUMENT NO. 910272; THENCE NORTH 89 DEGREES 11 MINUTES WEST, 76.35 FEET TO THE SOUTHEAST CORNER OF SAID DOCUMENT NO. 910272; THENCE NORTH 1 DEGREE 53 MINUTES WEST, 60.06 FEET ALONG THE EAST LINE OF SAID DOCUMENT NO. 910272 TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

EXHIBIT G

REIMBURSEMENT FOR OFF-SITE WATER MAIN IMPROVEMENTS

	ASPHALT ROADS			
	Street Name	**Unit**	**Quantity**	**Cost**
	State St., 9th to Dean St	FT	250	**$ 13,863.33**
	WATERMAIN			
		Unit	**Quantity**	**Cost**
1	10" DIP, Class 52, Water Main	LF	820	$65,600.00
2	Fire Hydrant Assembly, With Auxillary Valve and Box	EA	1	$3,200.00
3	1" Type "K" Copper Water Service, With B-Box Assembly	EA	6	$12,000.00
4	Curb and Gutter Removal and Replacement	LF	30	$630.00
5	Restoration	LS	1	$2,000.00
				$83,430.00
	TOTAL FOR ALL WORK			***$97,293.33***

State of Illinois)
) **ss.**
Counties of Kane and DuPage)

Certificate

I, NANCY GARRISON, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on January 7, 2013, the Corporate Authorities of such municipality passed and approved Ordinance No. 2013-Z-2, entitled

"Ordinance Granting Approval of Map Amendment,
Special Use for a Planned Unit Development, and
Approval of a PUD Preliminary Plan (Lexington Club
PUD),"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2013-Z-2, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on January 11, 2013, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 7th day of January 2013.

(S E A L)

Nancy Garrison
Municipal Clerk