VILLAGE OF OAK BROOK Illinois

ITEM 5.A
3005 Oak Brook Hills Road
Darweesh and Al-Dallal
MAP AMENDMENT R-1 TO R-2

INDEX

PAGE	*CONTENTS*
7-7.d	Staff Report dated February 6, 2019
6	Aerial View of Site
5-5.a	Updated Resident Letter dated January 25, 2019 and Initial Resident Letter dated January 7, 2019
4	Certificate of Publication dated January 9, 2019
3-3.b	Board of Trustees Meeting Minutes dated January 8, 2019
2	Referral Memo – Board of Trustees Agenda dated January 8, 2019
1	R-1 and R-2 Lot Area Requirements Comparison

****

Petition Application Documents

A	Petition Application – Map Amendment
B-B.2	Letter of Explanation and
B.2-B-7	Zoning Amendment Factors and Conclusion
C	Fee Receipt
D	Conceptual Subdivision Plan dated December 26, 2018 (Included – Not Attached)
E-E.2	Certification of Surrounding Property Owners and List
F	Subject Property Verification and Legal Description
G	Letter of Authorization
H	Zoning Map Excerpt of Subject Property (SP)
I-I.3	Copy of Deed
J-J.7	Grant of Easement
K	Plat of Survey dated May 23, 2018 (Included – Not Attached)

VILLAGE OF OAK BROOK
Plan Commission

STAFF REPORT

DATE: February 6, 2019

CASE NO: 2018-21-ZO-MA

DESCRIPTION: Rezoning from R-1 Single Family to R-2 Single Family

PARCEL SIZE: 162,479 square feet or approximately 3.73-acres

PETITIONER: Mutazz H. Darweesh and Nada Al-Dallal
3011 White Oak Lane
Oak Brook, IL 60523

PROPERTY ADDRESS: 3005 Oak Brook Hills Road

EXISTING ZONING: R-1 Single Family Detached Residence District

ZONING/USE OF SURROUNDING PROPERTY:

North: R-2 Single Family, improved with single family homes.

South: R-3 Single Family, improved with single family homes in the Midwest Club Subdivision.

East: R-3 Single Family in unincorporated DuPage County, improved with the Butterfield Country Club golf course

West: R-1 Single Family, improved with single family homes.

BACKGROUND:
The petitioner and owner of the property has submitted an application requesting approval of a rezoning from R-1 Single Family to R-2 Single Family for a 3.73-acre property located on the north side of Oak Brook Road, immediately west of the Butterfield Country Club. The petitioner acquired the property after it fell into disrepair. In 2018, they demolished the then-existing single family home. The petitioner is in the process of designing a new home that will be located on a portion of the property with the intent of preserving land for two (2) additional residential lots to the south. There is no current plan for a subdivision of the property at this time.

STAFF ANALYSIS:

Comprehensive Plan. The subject property is identified as Single Family Residential in the Village's 1990 Comprehensive Plan. Properties located to the north, south and west are also identified as Single Family Residential. The Butterfield Country Club located immediately east of the subject property is identified as a Private Recreation land use in the Plan. The Village's 1990 Plan does not differentiate between different types of single family land uses in terms of lot

sizes and only specifies single family and multi-family in the Plan. A color copy of the 1990 Plan has been provided as part of the staff report for review and reference purposes (case file page 7.c.).

Zoning District Standards. The following table summarizes the dimensional standards in the existing R-1 district, proposed R-2 district and the R-3 district.

	Existing Zoning: R-1 Single Family	***Proposed Zoning: R-2 Single Family***	***R-3 Single Family***
Minimum Lot Size	2 acre	1 acre	25,000 sq ft
Minimum Lot Width	220 feet	150 feet	100 feet
Front Setback	50 ft	40 ft	40 ft
Side Setback	30 ft	18 ft	12 ft
Rear Setback	100 ft	60 ft	40 ft
Building Height	50 ft	45 ft	40 ft

The R-3 district has been included since single family homes to the south (across Oak Brook Road) are zoned R-3 in the Midwest Club Subdivision.

Lot Size/ Density. A separate lot size / density exhibit has been included with the staff report to provide a comparison of lot sizes for properties located on Oak Brook Hills Road, Oak Brook Drive and on Oak Brook Road. The lot sizes in acres are depicted on the accompanying map in red text (case file page 7.d). 26 lots are identified on the map and are zoned either R-1 or R-2. The average lot size for these lots is 2.3 acres.

Vehicle Access. The existing lot at 3005 Oak Brook Hills Road previously contained a single family home that received vehicular access to Oak Brook Hills Road by way of a private cross access easement granted by and through the property at 3001 Oak Brook Hills Road. There are currently no curb cuts on Oak Brook Road for either 3001 or 3005 Oak Brook Hills Road although both lots have frontage onto Oak Brook Road. Any future curb cuts for vehicle access are subject to DuPage County Department of Transportation (DuDOT) review and approval because Oak Brook Road is under the county's jurisdiction. It is anticipated that the addition of one or two (2) more lots at 3005 Oak Brook Hills Road will necessitate the use of a curb cut and access onto Oak Brook Road for future vehicle access.

Stormwater Management/ Floodway/ Floodplain. The 3.73-acre property is not in the regulatory floodway or floodplain. Redevelopment of the one lot property requires that future construction or subdivision comply with the Village of Oak Brook and DuPage County Stormwater and Floodplain regulations.

Concept Subdivision Plan. A concept plan labeled "concept subdivision plan" (included as page D in the case file) has been submitted by the petitioner at the request of staff for discussion purposes. The intent of the concept plan is to provide the Village with a better understanding of possible redevelopment scenarios to depict lot lines and lot layout, lot sizes, building setbacks, easements and vehicle access. The petitioner has not submitted a formal subdivision plat request at this time.

RESPONSIBILITIES OF HEARING BODIES:

The Plan Commission has the responsibility to make a recommendation on this request for a proposed amendment and determine if it is in compliance with the Village's official plan, zoning ordinance and other applicable ordinances.

In accordance with Chapter 14, Section 13-14-8 of the zoning regulations, no vote shall be taken upon the adoption of a proposed amendment by the Village Board of Trustees until after a public hearing before the Zoning Board of Appeals and a report of its findings and recommendations has been submitted to the Board of Trustees along with the recommendation of the Plan Commission.

Please include in your consideration, the findings identified in Attorney Mark Daniel's letter included in your packet.

CONCLUSION:

Staff would like the Plan Commission's feedback on the proposed rezoning request and its compliance with the comprehensive plan, zoning ordinance and other applicable ordinances. If the Plan Commission believes that it has sufficient information to make a recommendation to the Zoning Board of Appeals, it may do so. Alternately, the Plan Commission may continue this matter to a future Plan Commission meeting in order to request additional information from the applicant or to provide additional time for review, comment and further deliberation. The Plan Commission's next regular meeting is March 18, 2019 if you would like to continue the public meeting.

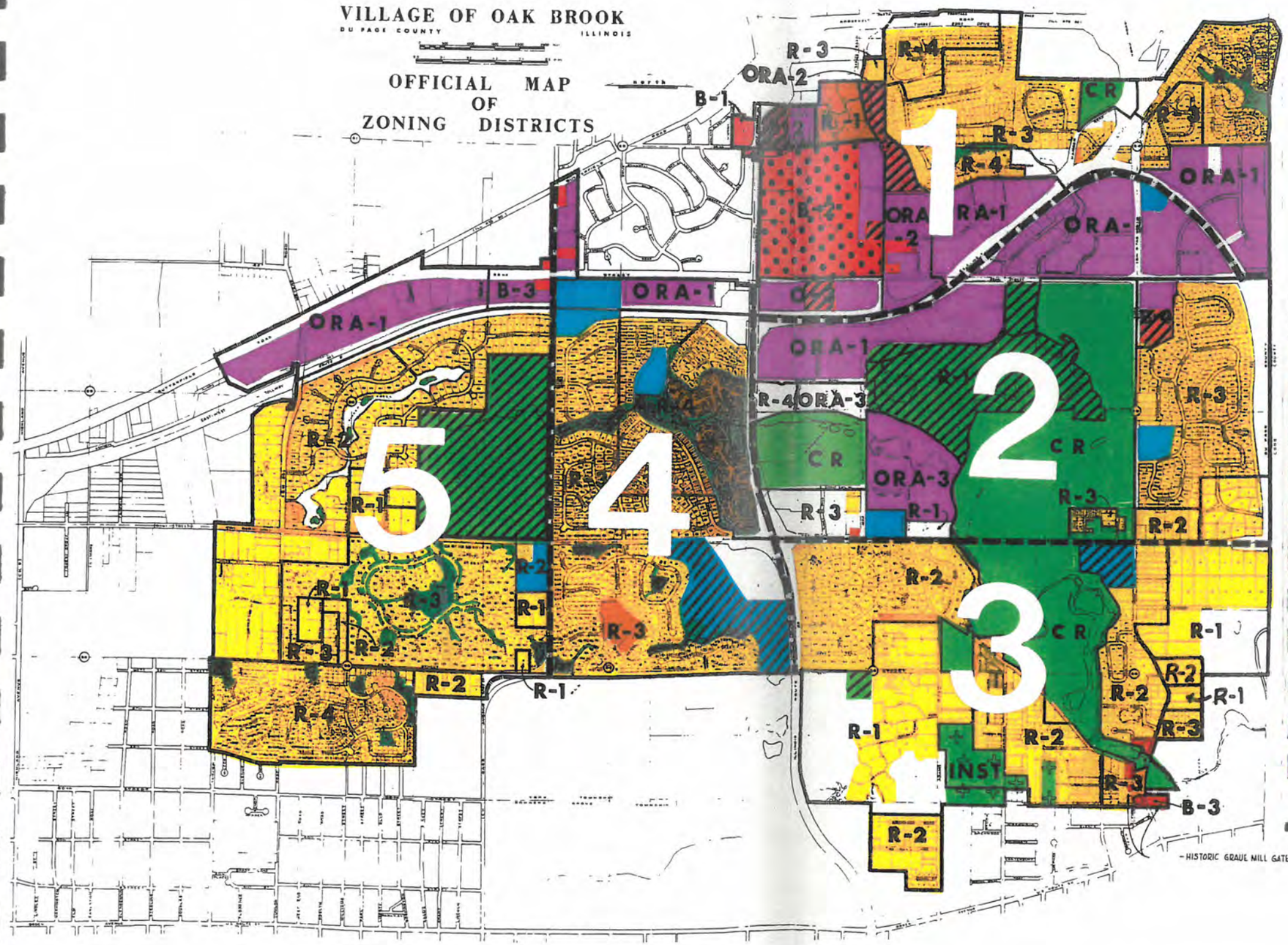
Please contact me if you have any questions.

Respectfully Submitted,

Tony Budzikowski, AICP
Director of Development Services

PLATE 8 7.c

OAK BROOK
ILLINOIS



EXISTING LAND USE

COMPREHENSIVE PLAN

- VACANT
- SINGLE FAMILY RESIDENTIAL
- MULTI FAMILY RESIDENTIAL
- ORA
- OAK BROOK SHOPPING CENTER
- LOCAL COMMERCIAL
- HOTEL
- PUBLIC PARK/FOREST PRESERV
- PRIVATE RECREATION
- CEMETERY
- CHURCH
- PUBLIC/MUNICIPAL
- PLANNING DISTRICT BOUNDARIES

7.c.

MapOffice™

Lot Size / Density Exhibit

7.d

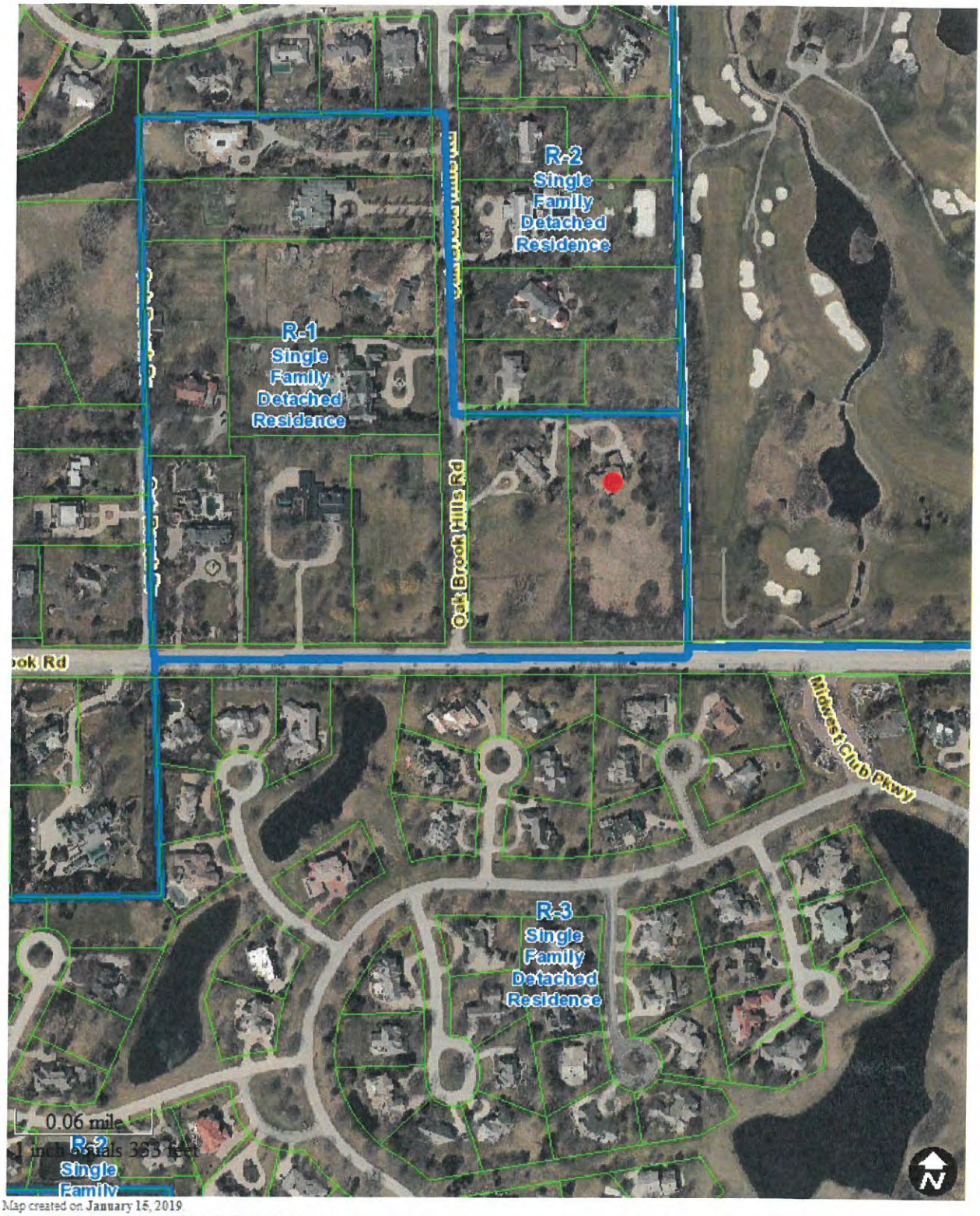
IGP Inc. All Rights Reserved.
Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law.
eral information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise

Average Lot Size = 2.3 acres

7.d.

GIS consortium MapOffice™

3005 Oak Brook Hills Rd



Map created on January 15, 2019.

© 2019 GIS Consortium and MGP Inc. All Rights Reserved.
The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law.
Disclaimer: This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

VILLAGE OF
OAK BROOK
Illinois

BUTLER GOVERNMENT CENTER
1200 OAK BROOK ROAD
OAK BROOK, ILLINOIS 60523

January 25, 2019

Dear Resident:

A notice of this applicants' request was previously sent to you on January 7, 2019. This matter was later continued by the Oak Brook Plan Commission to their next scheduled date. The Plan Commission will commence its review of a request for a map amendment at the meetings scheduled on the reverse side of this notice. Following the completion of the Plan Commission review, the Oak Brook Zoning Board of Appeals will be holding the required public hearing at its meetings on the reverse side of this notice.

Following the conclusion of the public hearing, the Village Board will be considering the recommendations from the Plan Commission and Zoning Board of Appeals at its meeting.

The application has been filed by:	Mutazz H. Darweesh and Nada Al-Dallal 3011 White Oak Lane Oak Brook, IL 60523
The property in question is located at:	3005 Oak Brook Hills Road
Relationship of applicant to property:	Owner

Also shown on the reverse side of this notice is a map* of the area to assist you in determining your relationship to the property in question.

The petitioner is requesting a map amendment to rezone the 3.73-acre subject property located at 3005 Oak Brook Hills Road from the R-1 Single-Family Detached Residence District designation to the R-2 Single-Family Detached Residence District designation.

If you desire more detailed information, please contact the Development Services Department at 630-368-5106 or 630-368-5103 to make arrangements to review the application, typically 8:00 a.m. - 4:00 p.m., Monday through Friday, with the exception of holidays.

Sincerely,

Tony Budzikowski, AICP
Director, Development Services Department

TB/gp

In accord with the provisions of the Americans with Disabilities Act, any individual who is in need of a reasonable accommodation in order to participate in or benefit from attendance at a public meeting of the Village of Oak Brook should contact the Butler Government Center (Village Hall), at 630-368-5010 as soon as possible before the meeting date or for TDD response (630) 990-2131 as soon as possible before the meeting date.

All meetings are held in the Butler Government Center of the Village of Oak Brook, located at 1200 Oak Brook Road (31st Street and Spring Road), Oak Brook, Illinois.

Plan Commission Meeting (PC). . . . . 7:00 p.m., Monday, February 11, 2019

Zoning Board of Appeals Meeting (ZBA). . . . . 7:00 p.m., Tuesday, March 5, 2019**

Board of Trustees Meeting . . . . . 7:00 p.m., Tuesday, March 26, 2019***

**Official Public Hearing - Date is Tentative - Follows the completion of the PC review

***Note: Date is Tentative - Follows the completion of the ZBA public hearing.

---

*Note: The map provided is only an approximation of the area in question and is intended to be used only as a visual aid to determine your relationship to the property

VILLAGE OF
OAK BROOK
Illinois

BUTLER GOVERNMENT CENTER
1200 OAK BROOK ROAD
OAK BROOK, ILLINOIS 60523

January 7, 2019

Dear Resident:

The Oak Brook Plan Commission, Zoning Board of Appeals and the Village Board will be considering a map amendment to the Zoning Regulations as requested below at its meetings scheduled on the reverse side of this notice.

The application has been filed by:	Mutazz H. Darweesh and Nada Al-Dallal 3011 White Oak Lane Oak Brook, IL 60523
The property in question is located at:	3005 Oak Brook Hills Road
Relationship of applicant to property:	Owner

Also shown on the reverse side of this notice is a map* of the area to assist you in determining your relationship to the property in question.

The petitioner is requesting a map amendment to rezone the 3.73-acre subject property located at 3005 Oak Brook Hills Road from the R-1 Single-Family Detached Residence District designation to the R-2 Single-Family Detached Residence District designation.

If you desire more detailed information, please contact the Development Services Department at 630-368-5106 or 630-368-5103 to make arrangements to review the application, typically 8:00 a.m. - 4:00 p.m., Monday through Friday, with the exception of holidays.

Sincerely,

Tony Budzikowski, AICP
Director, Development Services Department

TB/gp

5.a

In accord with the provisions of the Americans with Disabilities Act, any individual who is in need of a reasonable accommodation in order to participate in or benefit from attendance at a public meeting of the Village of Oak Brook should contact the Butler Government Center (Village Hall), at 630-368-5010 as soon as possible before the meeting date or for TDD response (630) 990-2131 as soon as possible before the meeting date.

All meetings are held in the Butler Government Center of the Village of Oak Brook, located at 1200 Oak Brook Road (31st Street and Spring Road), Oak Brook, Illinois.

Plan Commission Meeting . . . . . 7:00 p.m., Monday, January 21, 2019

Zoning Board of Appeals Meeting**. . . . . 7:00 p.m., Tuesday, February 5, 2019

Board of Trustees Meeting . . . . . .7:00 p.m., Tuesday, February 26, 2019***

**Official Public Hearing

***Tentative Follows the completion of the Zoning Board of Appeals meeting.

---

*Note: The map provided is only an approximation of the area in question and is intended to be used only as a visual aid to determine your relationship to the property

3005 OAK Brook Hills

NOTICE IS HEREBY GIVEN that a public hearing before the Zoning Board of Appeals of the Village of Oak Brook, DuPage and Cook Counties, Illinois, will be held on Tuesday, February 5, 2019 at 7:00 p.m. in the Samuel E. Dean Board Room of the Butler Government Center, Village of Oak Brook, 1200 Oak Brook Road, (31st Street and Spring Road), Oak Brook, Illinois 60523 for the purpose of considering the application from the petitioners, Mutazz H. Darweesh and Nada Al-Dallal, 3011 White Oak Lane, Oak Brook, Illinois 60523. The applicants are seeking a map amendment as provided for under Title 13 of the Zoning Ordinance of the Village of Oak Brook, Illinois, Ordinance G-60 as amended.
The petitioner is seeking the approval of a map amendment to rezone the 3.73-acre subject property from the R-1 Single-Family Detached Residence District to the R-2 Single-Family Detached Residence District.
The property may be generally described as 3005 Oak Brook Hills Road, Oak Brook, IL with the legal description as follows:
THE EAST 285.0 FEET OF THE SOUTH 600.0 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.
PIN: 06-28-403-013
The petitioner's application including all supporting documents is on file with the Director of the Development Services Department. Persons wishing to examine the petition documents may arrange to do so with the Development Services Department, Village of Oak Brook, 1200 Oak Brook Road, Oak Brook, IL 60523, telephone 630-368-5106.
In accord with the provisions of the American with Disabilities Act, any individual who is in need of a reasonable accommodation in order to participate in or benefit from attendance at this public meeting should contact the Butler Government Center (Village Hall), at 630-368-5010 as soon as possible before the meeting date or for TDD response (630) 990-2131 as soon as possible before the meeting date.
Charlotte Pruss, Village Clerk
Published at the direction of the Corporate Authorities and the Zoning Board of Appeals of the Village of Oak Brook, DuPage and Cook Counties, Illinois.
Published in Daily Herald January 9, 2019 (4516066)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

DuPage County

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DuPage County DAILY HERALD**. That said **DuPage County DAILY HERALD** is a secular newspaper, published in Naperville and has been circulated daily in the Village(s) of:
Addison, Aurora, Bartlett, Bensenville, Bloomingdale, Carol Stream, Darien, Downers Grove, Elmhurst, Glen Ellyn, Glendale Heights, Hanover Park, Hinsdale, Itasca, Keeneyville, Lisle, Lombard, Medinah, Naperville,Oakbrook, Oakbrook Terrace, Plainfield,Roselle, Villa Park, Warrenville, West Chicago, Westmont, Wheaton, Willowbrook, Winfield, Wood Dale, Woodridge

County(ies) of DuPage
and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DuPage County DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 09-JAN-19
in said DuPage County DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY Paula Baltzman
Designee of the Publisher and Officer of the Daily Herald

Control # 4516066

4

5. APPROVAL OF MINUTES

A. Regular Board of Trustees Meeting Minutes of December 11, 2018
Motion by Trustee Cuevas, seconded by Trustee Manzo, to approve the Minutes of the Regular Board of Trustees Meeting Minutes of December 11, 2018. VOICE VOTE: Motion carried.

CONSENT AGENDA:

6. All items on the Consent Agenda are considered to be routine in nature and will be enacted in one motion. There will be no separate discussion of these items unless a Board member so requests, in which event, the item will be removed from the Consent Agenda and considered as the first item after approval of the Consent Agenda.

A. Accounts Payable for Period Ending:
Period Ending December 20, 2018 - $1,988,430.38

Period Ending January 3, 20198 - $250,037.70

Significant Items included in Above:
1) DuPage County ETSB - November 30, 2018 - $35,405.07
2) Health Care Services - BCBS HMO - January 2019 - $29,957.25
3) J & R 1st in Asphalt, Inc. - OB Golf Course Cart Path - November 6, 2018 - $30,237.02
4) Burns & McDonnell Engineering Co., Inc. - Engineering Services - November 2018 - $20,013.00
5) Burns & McDonnell Engineering Co., Inc. - Engineering Services - August 2018 - $21,002.00
6) CDS Office Technologies - PD/Information Technology - $61,940.00
7) Core & Main Water Meter Install Project:
   a) Invoice - J829733 $33,500.00
   b) Invoice - J870826 $47,494.00
8) DuPage Water Commission - November 2018 - $279,900.40
9) Fitzgerald's Electrical Contr., Inc. - B & T Electrical - $155,822.00
10) Health Care Services - BCBS PPO - November 2018 - $192,077.54
11) Rush Oak Brook Orthopaedic Ctr. - Bond Check - Permit 17-3-075 - $102,000.00
12) Oak Brook Fire Additional Pension Contribution - FY18 - $155,302.67
13) Oak Brook Police Additional Pension Contribution – FY18 - $263,539.59
14) Orbis Construction Co., Inc. - OB Golf Club Project - $74,322.00
15) Orbis Construction Co., Inc. - OB Golf Club Project - $131,897.70

B. Approval of Payroll for Pay Period Ending:
1. December 15, 2018 - $846,250.65
2. December 29, 2018 - $755,266.08

C. Development Services Referrals

1. 900 Commerce Drive – Zoning Variation to Permit and Allow Parking in the Front Yard Setback

2. 3005 Oak Brook Hills Road – Rezoning from R-1 Single-Family District to R-2 Single-Family District

3. 42 Woodside Drive – Zoning Variations to the Front Yard and Side Yard Abutting a Street Setbacks for the Construction of an Addition to the Existing Residence

D. Authorization to Seek Bids or Proposals or Negotiate Contracts:

1. Golf Course Cart Path Paving

2. Golf Course Commodities

E. Ordinances & Resolutions

1. RESOLUTION 2019-SC-GOLF-AG-R-1769, A Resolution Approving the Waiver of Competitive Bidding and Authorizing the Village to Enter into a Contract with Procraft Heritage Creations to Undertake Golf Pro Shop Renovations

2. RESOLUTION 2019-SC-GOLF-PG-R-1770, A Resolution Approving the Waiver of Competitive Bidding and Authorizing the Purchase of Golf Merchandise for Resale

3. RESOLUTION 2019-PW-SC-TREE-R-1771, A Resolution Waiving Competitive Bidding and Authorizing the Execution of a Professional Service Agreement Between the Village of Oak Brook and Homer Tree Care, Inc. in Relation to Removal of Buckthorn, Ash Trees, and Dead Trees at the Sports Core Property

4. RESOLUTION 2019-IT-GIS-AG-R-1772, A Resolution Approving the Waiver of Competitive Bidding and Authorizing the Extension of an Agreement By and Between the Village of Oak Brook and Municipal GIS Partners, Inc. to Provide GIS Support Services.

5. RESOLUTION 2019-SC-B&T-ENG-AG-R-1773, A Resolution Approving and Authorizing a Professional Services Agreement By and Between the Village of Oak Brook and Burke, LLC for Sports Core Drainage Improvements and Bath & Tennis Circle Drive Reconstruction

6. RESOLUTION 2019-SC-B&T/P-R-1774, A Resolution Waiving Competitive Bidding and Authorizing the Execution of a Professional Service Agreement Between the Village of Oak Brook and Mid-America Pool Renovation, Inc. to Provide Bath & Tennis Pool Repairs

7. RESOLUTION 2019-MRKTG-AG-R-1775, A Resolution Approving the Waiver of Competitive Bidding and Authorizing a Retainer Fee Services Agreement for Advertising and Marketing Services
By and Between the Village of Oak Brook and Point B Communications

8. RESOLUTION 2019-LY-PG-R-1776, A Resolution Approving the Waiver of Competitive Bidding and Authorizing the Purchase of Library Books From Authorized Distributors

9. ORDINANCE 2019-TA-COM-G-1143, An Ordinance Amending Title 2 of the Village of Oak Brook Municipal Code to Establish the Technology Advisory Committee

F. Sports Core Loan

G. Village of Oak Brook - Monthly Financial Reports - November 2018

Motion by Trustee Cuevas, seconded by Trustee Manzo, to approve the Consent Agenda, with the exception of Items 6.C.1., 6.D.1., 6.E.1., 6.E.2 and 6.E.3, and authorize expenditures as presented.
ROLL CALL VOTE:
Ayes: 6 – Trustees Baar, Cuevas, Manzo, Saiyed, Tiesenga, Yusuf
Nays: 0 – None
Abstain: 0 – None
Absent: 0 – None
Motion carried.

7. ITEMS REMOVED FROM CONSENT AGENDA

6.C.1. 900 Commerce Drive – Zoning Variation to Permit and Allow Parking in the Front Yard Setback

Motion by Trustee Tiesenga, seconded by Trustee Manzo, to discuss the item.
Trustee Tiesenga expressed his concerns regarding the information on the front yard setback. Discussion ensued regarding the referral process.

Motion by Trustee Cuevas, seconded by Trustee Yusuf, that the Village Board refer the request for a zoning variation to the Zoning Board of Appeals for public hearing and recommendation.
ROLL CALL VOTE:
Ayes: 5 – Trustees Baar, Cuevas, Manzo, Saiyed, Yusuf
Nays: 1 – Trustee Tiesenga
Abstain: 0 – None
Absent: 0 – None
Motion carried.

6.D.1. Golf Course Cart Path Paving

Motion by Trustee Baar, seconded by Trustee Cuevas, that the Village Board authorize staff to obtain bids for golf course cart path paving.
Trustee Baar commented that he would like Public Works to continue to be involved with the Sports Core in order to get the best pricing for Village projects.

ROLL CALL VOTE:
Ayes: 6 – Trustees Baar, Cuevas, Manzo, Saiyed, Tiesenga, Yusuf
Nays: 0 – None
Abstain: 0 – None
Absent: 0 – None
Motion carried.

VILLAGE OF
OAK BROOK
Illinois

ITEM 6.C.2

BOARD OF TRUSTEES MEETING
SAMUEL E. DEAN BOARD ROOM
BUTLER GOVERNMENT CENTER
1200 OAK BROOK ROAD
OAK BROOK, ILLINOIS
630-368-5000

AGENDA ITEM

Regular Board of Trustees Meeting
of
January 8, 2019

SUBJECT: Referral – 3005 Oak Brook Hills Road – Rezoning from R-1 Single-Family District to R-2 Single-Family District

FROM: Tony Budzikowski, AICP, Development Services Director TB

BUDGET SOURCE/BUDGET IMPACT: N/A

RECOMMENDED MOTION: I move to refer the request for rezoning from R-1 Single-Family District to R-2 Single-Family District to the Plan Commission and Zoning Board of Appeals for public hearing and recommendation.

Background/History:
Mutazz H. Darweesh and Nada Al-Dallal, the property owners, have submitted a petition requesting approval of a rezoning request from R-1 Single-Family District to R-2 Single-Family District for the property located at 3005 Oak Brook Hills Road. The property is 3.7-acres and is located on the north side of 22nd Street approximately 350 feet east of Oak Brook Hills Road. This property is also currently vacant at this time because the single-family home that was previously on the property was demolished last year.

The petitioner is requesting approval of a rezoning request for R-2 Single Family that would permit and allow a minimum lot size of one-acre in this zoning classification. The R-1 Single-Family district lots require a minimum of 2.0-acres in area.

Recommendation:
Please refer the request for rezoning from R-1 Single-Family District to R-2 Single-Family District to the Plan Commission and Zoning Board of Appeals for public hearing and recommendation.

R-1 SINGLE-FAMILY DETACHED RESIDENCE DISTRICT

13-6A-3: LOT AREA REQUIREMENTS

A. Lot Area: Except as otherwise required in this title for a specific use, not less than two (2) acres.

B. Lot Width: Not less than two hundred twenty feet (220') within the buildable area.

C. Floor Area Ratio: Not to exceed 0.4 for nonresidential uses.

D. Structure Height:

1. Residential uses: Not more than fifty feet (50'), except for continuous flat roofs, which shall be not more than thirty five feet (35') to the top of any parapet wall. However, where residential building heights exceed thirty feet (30'), the highest space that can be occupied must have an emergency escape and rescue opening at a maximum elevation of thirty two feet (32') above grade.

2. Nonresidential uses: Not more than forty five feet (45') excluding village owned communication towers, which may not exceed a height of one hundred twenty feet (120').

F. Yards: Except as required in subsections 13-6A-1B and D of this article, under "accessory uses and structures", yards shall be provided as follows:

1. Front: Not less than fifty feet (50') in depth, except front yards abutting York and Cermak Roads shall have a depth of not less than one hundred feet (100').

2. Side: Not less than thirty feet (30') in depth, except: a) a side yard abutting a street shall be not less than fifty feet (50') in depth, and for nonresidential uses each interior side yard shall be increased by not less than two feet (2') for each one foot (1') of structure height over thirty feet (30').

3. Rear: Not less than one hundred feet (100') in depth. (Ord. G-60, 3-22-1966; Ord. G-616, 8-11-1998; Ord. G-730, 9-23-2003; Ord. G-938, 11-9-2010; Ord. G-977, 8-14-2012)

R-2 SINGLE-FAMILY DETACHED RESIDENCE DISTRICT:

13-6B-3: LOT AREA REQUIREMENTS:

A. Lot Area: No less than one acre, except as otherwise required in this title for a specific use.

B. Lot Width: Not less than one hundred fifty feet (150') within the buildable area.

C. Floor Area Ratio: Not to exceed 0.4 for nonresidential use.

D. Structure Height:

1. Residential Uses: Not more than forty five feet (45') for lots one acre or larger and forty feet (40') for lots less than one acre, except for continuous flat roofs, which shall be not more than thirty five feet (35') to the top of any parapet wall. However, where residential building heights exceed thirty feet (30'), the highest space that can be occupied must have an emergency escape and rescue opening at a maximum elevation of thirty two feet (32') above grade.

2. Institutional And Other Nonresidential Uses: Not more than forty five feet (45').

F. Yards: Except as required in subsections B and D under "accessory uses and structures" in section 13-6A-1 of this chapter, yards shall be provided as follows:

1. Front: Not less than forty feet (40') in depth.

2. Side: Not less than eighteen feet (18') in depth except:

a. A side yard abutting a street shall not be less than forty feet (40') in depth;

b. To accommodate a side load garage, the minimum side yard setback (on 1 side yard) must be at least twenty three feet (23'); the width of the pavement opposite of the garage door must be a minimum of twenty three feet (23');

c. For nonresidential uses each side yard abutting a street shall be not less than fifty feet (50') in depth and each interior side yard shall be not less than thirty feet (30') in depth and increased by not less than two feet (2') for each one foot (1') of structure height over thirty feet (30').

3. Rear: Not less than sixty feet (60') in depth. (Ord. G-60, 3-22-1966; Ord. G-328, 8-24-1982; Ord. G-616, 8-11-1998; Ord. G-730, 9-23-2003)

VILLAGE OF OAK BROOK

1200 OAK BROOK ROAD
OAK BROOK, IL 60523
630-368-5103

PETITION APPLICATION for PUBLIC HEARING

ZONING ORDINANCE: ☐ APPEAL ($300) ☐ VARIATION ($750)
☒ AMENDMENT ($750) ☐ SPECIAL USE ($750)

☐ CERTIFICATE OF APPROPRIATENESS ($500) STORMWATER: ☐ VARIATION ($750)

PUBLIC HEARING SIGNS ($50- each lot frontage) [1] - Enter Number of Street Frontages/Per Parcel

APPLICANT TO COMPLETE

NOTE: ALL APPLICATIONS ARE TO BE RECEIVED BY THE DIRECTOR OF COMMUNITY DEVELOPMENT AND AFTER AN INITIAL REVIEW WILL BE FILED WITH THE VILLAGE CLERK.

LOCATION OF SUBJECT PROPERTY 3005 Oak Brook Hills Road PERMANENT PARCEL NO*: 06-28-403-013

LOT NO. N/A SUBDIVISION N/A LEGAL ADDRESS* 3005 Oak Brook Hills Road

ZONING DISTRICT R-1 ZONING ORDINANCE SECTION _____

ACTION REQUESTED Rezoning/reclassification from R-1 to R-2.

PROPERTY INTEREST OF APPLICANT: OWNER ☒ CONTRACT PURCHASER ☐ AGENT ☐

OWNER(S) OF RECORD Mutazz H. Darweesh and Nada Al-Dallal PHONE _____

ADDRESS 3011 White Oak Lane CITY Oak Brook STATE IL ZIP 60523

BENEFICIARY(IES) OF TRUST N/A PHONE 773-744-4074

ADDRESS _____ CITY _____ STATE _____ ZIP _____

NAME OF APPLICANT(and Billing Information) Same as Owners (above) PHONE _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

Contact Name and E-mail Address(s) Mark Daniel, mark@thedaniellawoffice.com

I (we) certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief. I (we) give permission to the Village to install public hearing sign(s) on the lot frontages of the above subject property as described in the Village Code. In addition to the above fees, applicant agrees to reimburse the Village for publication costs within 30 days of billing.

Signature of Owner — Date 12-16-18 — Signature of Applicant — Date 12/16/18

DO NOT WRITE IN THE SPACE BELOW - FOR OFFICE USE ONLY

Date Filed 12-17-18 Fee Paid $ 800.00 Receipt No. 501643 Received By C. Ciardelli

Board of Trustees (Referral) 1-8-19 Notice Published 1-9-19 Newspaper Daily Herald Adj. Property Owners Notified 1-7-19 + 1-25-19

PUBLIC HEARING DATES: Plan Commission 1-21-19 - 2-11-19 Zoning Board of Appeals 2-5-19* 3-5-19*

Board of Trustees 3-26-19* Board of Trustees (Approval of Ordinance) 4-9-19*

SIGNED - VILLAGE CLERK Charlotte M. Press Date 12/19/18

*TENTATIVE

A

Mark W. Daniel, Esq.
mark@thedaniellawoffice.com

17W733 Butterfield Road, Unit F
Oakbrook Terrace, IL 60181
(630) 833-3311
Fax: (630) 833-3511

Daniel Law Office, P.C.

PROJECT NARRATIVE
Zoning Map Amendment
3005 Oak Brook Hills Road, Oak Brook, DuPage County, Illinois
P.I.N. 06-28-403-013

CONTENTS

Introduction	1
The Subject Property	1
Assessment of Standards for Map Amendment	3
Ordained Map Amendment Considerations	3
Conclusion	7

INTRODUCTION

Mutazz H. Darweesh and Nada Al-Dallal ("Applicant"), is the owner of 3005 Oak Brook Hills Road, Oak Brook (the "Subject Property"). Applicant seeks Village approval of map amendment rezoning the Subject Property from R-1 Single Family to R-2 Single Family. The Subject Property extends west from the west side edge of Butterfield Country Club to the adjacent property known as 3001 Oak Brook Hills Road (06-28-403-012). The property extends north from Oak Brook Road, also known as 31st Street to 2921 Oak Brook Hills Road (06-28-403-016, 017). This effort provides for zoning that is consistent with the surrounding neighborhood to the north, east and south and is in accord with the trend of development to the west. The request to rezone from R-1 Single Family to R-2 Single Family is addressed below.

Please note that there is no present plan for subdivision. Applicant acquired the Subject Property after it fell into severe disrepair. In 2018, Applicant demolished the then-existing residence. Applicant is in the process of designing a new home that will be located on a portion of the Subject Property while preserving space for two southerly residential lots.

THE SUBJECT PROPERTY AND ITS SURROUNDINGS

The Subject Property comprises 3.73 acres along the north side of 31st Street in an R-1 Single Family zoning district that extends west from the west line of the Subject Property a distance of approximately 1,000 feet. The lot lies between an adjacent R-2 district to the north (allowing one acre lots) and an R-3 district across 31st Street to the south (allowing 25,000 square foot lots). To the near west and northwest, there are eight (8) R-1 Single Family zoning lots, and two of these have direct access to 31st Street. Further west, there are single family homes located in an R-2 Single Family district. To the east and northeast lies Butterfield Country Club, which is comprised of 80 acres in unincorporated DuPage County. The 194-acre

(+/-) tract carries a County R-3 zoning designation (allowing for homes on 15,000 square foot lots). To the north and northwest there are single family homes that are also located in the R-2 Single Family zoning district. To the south, southeast and southwest, the territory known as The Midwest Club is zoned R-3 Single Family.

As a partial result of the fact that the Subject Property and much of the land along 31st Street/Oak Brook Road was under Hinsdale planning jurisdiction prior to the formation of the Village and Hinsdale planned for heavy commercial use of this corridor, larger tracts and assemblages dominated the area. Since the 1940's, single family home development has frequently relied on the creation of easements for vehicular access and private drives. Single family homes located such private access drives are a staple of this area, but the Subject Property lies in an area where direct lot access for residential use is more frequent.

The Subject Property has one frontage on 31st Street (Oak Brook Road). 31st Street is an arterial street under DuPage County jurisdiction that provides access east and west of the Subject Property. Oak Brook Hills Road runs north from to 31st Street and provides access for eight (8) subdivisions, including Ginger Creek, all of which occurred after 1950. Oak Brook Hills Road continues on to provide access for the more densely populated Ginger Creek subdivision to the north.

The home that was on the Subject Property faced north-northwest. An easement for access connects the Subject Property to Oak Brook Hills Road. Under an R-2 Single Family zoning designation, the Subject Property would retain this access while providing for access to two southerly lots from 31st Street/ Oak Brook Road.

31st Street runs east to North Riverside and west to Downers Grove. The nearest DuDOT measurement of average daily traffic occurred at Regent Drive. Based on the data provided, average daily traffic for eastbound and westbound 31st Street at the Subject Property is roughly 14,600 vehicles and 14,200 vehicles, respectively. 31st Street is tree-lined and offers primary access to a collection of zoning lots and to subdivisions via intersecting roads. The speed limit on 31st Street is 45 miles per hour and the addition of two drives east of Oak Brook Hills Road is not likely to cause a change in warrant analysis that would alter the speed limit. There are no walkways along 31st Street in this area. Both lots between Oak Brook Hills Road and Oak Brook Drive (2700 and 2712 31st Street) have direct access to 31st Street. West of Oak Brook Drive, 2803, 2810, 2820, 2901, and 1200 (SE corner of Meyers and 31st Street/Oak Brook Road) all have direct access to 31st Street/Oak Brook Road). East of the Subject Property, 2215 Oak Brook Road has direct access to 31st Street Oak Brook Road.

To the extent that any storm water leaves the Subject Property, it flows from the northern portion to the south and east. Storm water will benefit from best management practices required under the Countywide Floodplain and Stormwater Ordinance during and

after construction. Development efforts will meet the standards for management of storm water and it will respect the riparian rights in the vicinity. No development is presently proposed, but the existing condition is the result of demolition of a home that languished and fell into horrible disrepair.

Demolition concluded earlier this year and the owners are planning to construct their residence. Following rezoning in early 2019, Applicant anticipates planning for a new principal residence later in 2019 and thereafter initiating subdivision in a fashion that would allow for construction on the north lot in 2020. Two additional lots can be planned for the southern two acres of the Subject Property and, in all likelihood, these homes would rely on a single access and face to the east in a fashion that is consistent with the decades-long trend of development in the vicinity.

ASSESSMENT OF STANDARDS FOR MAP AMENDMENT

Applicant seeks an amendment to the Village's zoning map that will reclassify the Subject Property from R-1 Single Family to R-2 Single Family. There are several smaller parcels in the immediate area (north, west and south). The eventual approval of a three-lot subdivision would have a *de miminis* effect on average lot area and no effect on lot value. The Village will benefit from additional two residences and other governmental agencies will see additional tax revenue generated from additional lots which will be supportive of the style of housing that has already dominated this section of Oak Brook.

ORDAINED CONSIDERATIONS

The Zoning Ordinance provides standards pertaining to amendments that include the factors addressed in this portion of the narrative. In general, however, amendments must be in harmony with the general purpose and intent of the Zoning Ordinance and consistent with comprehensive planning. The Village also reviews the standards in bold, below, for which Applicant provides a summary response:

ZONING AMENDMENT FACTORS

(a) The character of the neighborhood. RESPONSE: The neighborhood is zoned entirely residential, with the majority of the active residential uses assigned Village R-3 Single Family zoning designation (25,000 SF lots) and nearly 200 acres to the east that is in a County R-3 district (15,000 SF lots). Ginger Creek and lots to the north of the Subject Property are in Village R-2 zoning district. A few lots west of the Subject Property are zoned R-1 Single Family, but the zoning classification returns to R-2 Single Family further west along the north side of 31st Street. Butterfield County Club is the dominant adjacent land use, but all other nearby uses are single family residential in character. The Subject Property is sandwiched by

higher density residential zoning (north and south) and by non-residential use (east). R-2 Single Family use is a reasonable transitional classification between the higher density residential uses and the non-residential use noted above. Lots zoned to one-care densities are uniform to the north of the Subject Property and lots smaller than one acre are prevalent in the Midwest Club subdivision south of the Subject Property. While no one hopes to see a change in use of the Butterfield Country Club property, this territory is capable of higher density residential use than any of the surrounding lots.

(b) The extent to which property values are diminished by the particular zoning restrictions. RESPONSE: The Subject Property is a prime example of the impact of zoning restrictions on the owners' determination to maintain improved land, or not. The 2018 demolition of a single family residence on the Subject Property occurred because the residence fell into such disrepair that the owner could no longer justify expenditures on such a large tract. The R-1 Single Family zoning classification allows for the construction of only one residence on the Subject Property, and this style of residence has not been common in recent trends of development in the area. The ability to construct two (or three) homes on the Subject Property will avoid the diminution in value that led to the prior owner's decision not to appropriately maintain the residence.

(c) The extent to which the removal of the existing limitations would depreciate the value of other property in the area. RESPONSE: Under an R-2 Single Family zoning classification, the Subject Property offers a buffer and transition between Butterfield Country Club to the east and a handful of R-1 Single Family properties to the west. The R-2 Single Family zoning classification will not impact the land to the north which is uniformly zoned R-2 Single Family or the residences in the Midwest Club subdivision which sit on smaller lots in an R-3 Single Family district. The allowance of one-acre lots on the Subject Property (rather than allowing only one residence on a 3.7 acre lot) will not depreciate the value (actual or perceived) of the lot west of the Subject Property inasmuch as this lot draws its character from the Oak Brook Hills Road frontage (the home faces southeast) that includes 2700 Oak Brook Road and 3000 Oak Brook Hills Road. Indeed, an abutting R-2 Single Family district has not provided any disincentive to development and maintenance of homes on R-1 Single Family lots west of 2712 31st Street and 3003 Oak Brook Drive. As a result, there should be no concern for an impact on values of properties in the area as a result of allowing one-acre lot development on the Subject Property.

(d) The suitability of the property for zoned purposes. RESPONSE: The Subject Property is generally flat at its north end, and the topography of the land allows for reasonable development of one acre lots without altering drainage in the area. In addition to the circumstances noted above, reasonable lot depths are available for three lots. In the event that the Village allows for one-acre lots, access is available for one lot to the north and the substantial 31st Street/Oakbrook Road frontage (285 feet) allows planning for access from the

south. Appropriate rear or rear-to-side yard alignments are possible with R-2 Single Family zoning. Lastly, transitional zoning or buffering in planning at this particular location supports the reclassification of the Subject Property to R-2 Single Family use.

(e) The existing uses and zoning of nearby property. RESPONSE: The existing use of all of property for any relevant distance north and south is for single family detached residential use with a density greater than that allowed under the R-1 Single Family residential classification. The territory east and northeast of the Subject Property is the Butterfield Country Club, and this nearly 200-acre tract is planned under County R-3 zoning for lots smaller than those permitted in the Village's R-3 Single Family classification. There is a small, disconnected R-1 Single Family residential district situated west of the Subject Property, but the uses in this district face access challenges with the exception of lots along 31st Street/Oak Brook Road. Due to these challenges, the larger part of this roughly 26 acre district will not redevelop under standards other than R-1 Single Family unless there is a unified development. The boundary between the relevant R-1 Single Family district and the abutting R-2 Single Family zoning district runs along public access routes and along interior lot lines. In this instance, the boundary following rezoning would align with the west line of the Subject Property rather than the north line.

(f) The length of time under the existing zoning that the property has remained unimproved, considered in the context of land development. RESPONSE: As noted above, the Subject Property was improved with a single family home which, for a long period of time, was undermaintained and underutilized. The home was in such disrepair that it had to be demolished.

(g) The relative gain to the public as compared to the hardship imposed on the individual property owner. RESPONSE: There is minimal purpose supporting the current R-1 Single Family zoning classification. In attempting to determine the gain to the public from the current classification, the only apparent motivation might arise from intent to reduce access points along 31st Street/Oak Brook Road. However, in the R-1 district at hand, two-thirds of the zoning lots have direct access to 31st Street/Oak Brook Road. Thus, the interest in access reduction over a span that extends 3,000 feet along the north side of the street is minimal. The hardship imposed on the owner is substantial inasmuch as a zoning classification more consistent with the area at large would permit an additional two lots under circumstances that involve reasonable planning techniques such as the extension of a higher density zoning district to buffer a lower density use from a higher intensity use.

(h) The extent to which the proposal promotes the health, safety, morals or general welfare of the public. RESPONSE: The Village's R-2 Single Family regulations are quite strict and allow for the large-lot residential style seemingly intended for most of the territory north of 31st Street/Oak Brook Road. The sole exception to this trend of development lies in regard to a

collection of zoning lots that cannot reasonable redevelop to R-2 Single Family standards without unified development, such as lot aggregation or a development that contemplates new access easements. R-2 Single Family residential would actually permit two homes to the south end of the Subject Property and afford a planning transition and physical feathering of use between Butterfield Country Club (a non-residential use) and the right of way and the lot to the west of the Subject Property. The Village hosts several attractive residential lots, but many of them are not conducive to younger, single families. A combination of lot size and expense makes it very difficult to attract younger families to the area, particularly to large R-1 Single Family parcels. The reclassification to R-2 is a reasonable transition that permits the eventual addition of two lots for development that is more reasonable in the area (as reflected to the north and west of the Subject Property where R-2 Single Family zoning is common).

(i) The relationship of the proposal use to the Comprehensive Plan. RESPONSE: The Village's Comprehensive Plan dated June 1969 was last updated in June 1990. The Village's planning for residential areas has been fairly consistent over several decades, calling for substantial areas that are set aside for large-lot single family residential development. The plan is not realistically aligned with the current state of the national housing market, the state housing market or the local housing market, but the proposal to reclassify the Subject Property to R-2 Single Family maintains the intended low-density housing plan. (Plan, at 16, 18) Additionally, the extension of the R-2 Single Family from the north to 31st Street/Oak Brook Road is not inconsistent with planning to the west of the Subject Property where precisely the same transition occurs. This is consistent with the principle of lot integration set forth as an over-arching objective. (Plan, at 16) To the north lies Ginger Creek—the first residential development authorized by the Village—and the proposed R-2 Single Family classification is consistent with Ginger Creek's R-2 Single Family status. The Subject Property is in Planning District 5 (Ginger Creek). (Plan, at 28) The proposal will not alter the division of land uses in the Ginger Creek planning area. Two additional lots allowed as a result of R-2 Single Family zoning may allow six or seven residents in addition to those planned for the Subject Property under R-1 Single Family zoning—or 6/100ths of a percent of the Village's planned population maximum in 1990 (Plan, at 29) and an even smaller portion of the Village's planned population under modern analyses. In 1990, the Ginger Creek planning area was intended to host 561 residents in 1990, and the additional residents allowed as a result of rezoning is one percent of the total population of the Ginger Creek planning area under 1990 standards. (Plan, at 30) Districts 53 (grade school) and 86 (high school) have sufficient capacity to handle additional students that would reside on the two additional lots. The proposed rezoning is consistent with Plan objectives concerning general density objectives in I(A)(1)(a, b, c, d, and g—f is not implicated). (Plan, at 55) The three lots available under R-2 Single Family zoning will allow for management of flood plains, storm water and other hazards tied to residential development while avoiding nuisance. (Plan, at 56) The map amendment also meets Objective I(E)(1-3, 4 is not implicated) by adhering to a large-lot plan, maintaining a balance by extending R-2 Single Family in a fashion that feathers a buffering land intensity between

higher density residential and non-residential use and the R-1 uses to the west of the Subject Property). (Plan at 58) The likely southern connection to 31st Street/Oak Brook Road will not interfere with Village efforts to plan with the areas abutting this minor arterial road under County jurisdiction. (See Plan, at 59 even though County planning applies to the street.) The Subject Property does not lie in any of the territories described in Chapter six of the Plan as requiring special attention. (Plan, at 63-64) Few elements of the plan are more clear than the recitation of the four goals in the conclusion, and the map amendment meets the objective of preserving Oak Brook Road as a residential street with a broad greenway. (Plan, at 77, Item 1)

(j) The community need for the use proposed by the property owner. RESPONSE: Oak Brook as a whole benefits from the preservation of its residential character in areas south of the tollway. One element of preserving character involves the preservation of improvements on residential property. Large-acreage lots prove to be extraordinary in areas where surrounding lots are smaller or capable of higher-density use. In this instance, the Subject Property fell into horrible condition and could not be reasonably restored. Demolition in 2018 followed a long period of visible disrepair and vacancy. Reclassification to allow a reasonable collection of three lots zoned in the R-2 Single Family zoning classification not only increases the number of residential lots that will be more reasonably available, but it converts a lot with an immediate and clear history of obsolescence under the currently-applicable R-1 Single Family regulations. The Village and its residents need to avoid conditions that force properties into a state of failed maintenance, particularly along major corridors. Slightly adjusting the density for the Subject Property will accomplish this inasmuch as no individual is likely to develop a single family home on 3.7 acres adjacent to an arterial road *and* a non-residential use when smaller acreage home sites are readily available in the adjoining R-2 and R-3 zoning districts. As noted in the Plan, preservation of Oak Brook Road as residential is and has been the top primary planning objective (Plan, at 77). The adjustment of zoning classifications in this corridor to allow an increased residential density on lots that, long ago, were planned for high density commercial use by the Village of Hinsdale is a continuation of a trend that initiated with Ginger Creek in 1961 and has continued to this day. The proposal in this instance is responsive to the Village's need to maintain the residential character of the Subject Property.

CONCLUSION

Applicant respectfully requests that the Plan Commission and Zoning Board of Appeals, as necessary, recommend and the Village Board approve the rezoning for the Subject Property. Applicant notes that this area is planned well and that the change in zoning classification from R-1 Single Family to R-2 Single Family will have no adverse impact on any other parcels or any other use of these parcels. If any Village body has a concern with any single aspect of the project, Applicant requests that the members isolate the particular relief sought and consider it distinctly so that the Village Board is clearly aware of the basis for the recommendation.

Thank you for your consideration of this petition.

Dated: December 17, 2018

Respectfully submitted,

MUTAZZ H. DARWEESH &
NADA AL-DALLAL

By: _____
Attorney for Applicant

Mark W. Daniel, Esq.
DANIEL LAW OFFICE, P.C.
17W733 Butterfield Road, Suite F
Oakbrook Terrace, Illinois 60181
(630) 833-3311
mark@thedaniellawoffice.com

Please Deposit Check in: Zoning Account 10-4302

For:

3005 Oak Brook Hills Rd – Map Amendment

NOTE: 1 check(s) – Total ***$ 800***

Please return receipt(s) to Gail
Thanks

MISCELLANEOUS PAYMENT RECPT#: 501643
VILLAGE OF OAK BROOK
1200 OAK BROOK ROAD
OAK BROOK IL 60523

DATE: 12/18/18 TIME: 13:49
CLERK: reception DEPT:
CUSTOMER#: 0

INFO: 3005 OAK BROOK HILLS

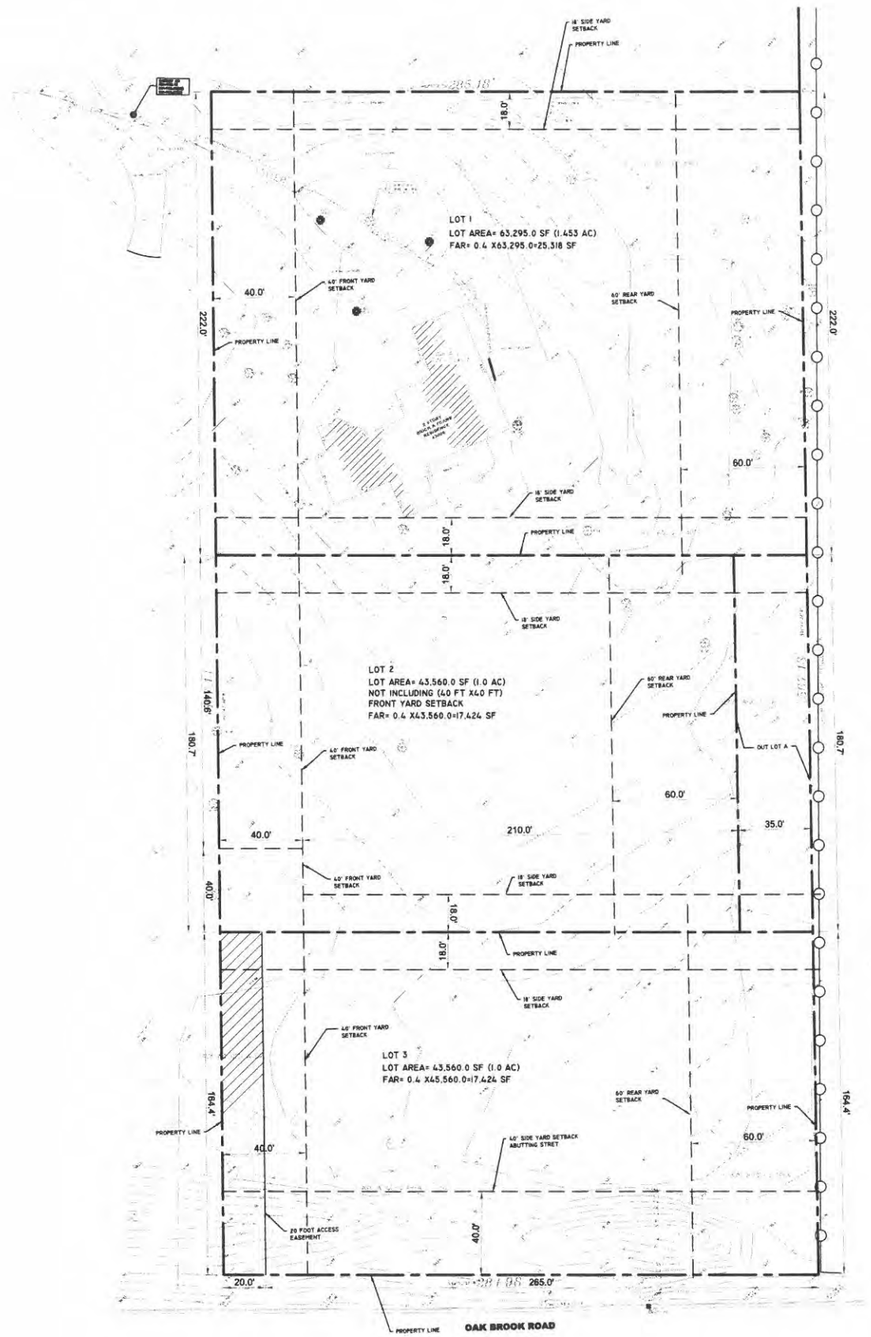
4302 ZONING/SUBDIVIS 800.00

AMOUNT PAID: 800.00

PAID BY: DANIEL LAW OFFICE P.
PAYMENT METH: CHECK
2182
REFERENCE:

AMT TENDERED: 800.00
AMT APPLIED: 800.00
CHANGE: .00

C



GRAPHIC SCALE

CONCEPTUAL SUBDIVISION PLAN-I

Damas Consulting Group
5625 MIDDAUGH AVE
Downers Grove, IL 60516
Ph 630-991-3299 FAX 630-541-2382

DATE	DRAWING ISSUE
	12/26/18

PROJECT AT 3005 OAKBROOK HILLS RD OAK BROOK, IL 60523L

DATE STARTED:	DRAWN BY:
12-26-18	KM
JOB NO:	FILE NO:

SHEET NO:
C-1.0

Certification
Surrounding Property Owners

I (we) certify that the names and addresses of all the surrounding property owners including mailing labels submitted with this application are located within a minimum distance of 250 feet in all directions from the perimeter of the subject property and that the number of feet occupied by all public roads, streets, alleys, and public ways has been excluded in computing the 250-foot requirement.

Said names and addresses are as recorded in the office of the County Recorder of Deeds (or the Registrar of Titles of the County) and as appear from the authentic tax records of this County. The property owners as listed have been obtained from the Township Assessors office within 30 days of the filing of this application.

The surrounding property owners list as submitted herewith and supporting attachments are true to the best of my (our) knowledge and belief.

I (we) give permission to the Village to install public hearing sign(s) on the lot frontages of the subject property as described in the Village Code. In addition to the required application fees, applicant/owner agrees to reimburse the Village for publication costs, recording fees, and any other associated costs or fees within 30 days.

Mutazz H. Darweesh		Nada Al-Dallal	
Printed Name of Owner		Printed Name of Applicant/Owner	
Signature of Owner	12/16/18 Date	Signature of Applicant/Owner	12/16/18 Date

BILL TO INFORMATION:

Daniel Law Office, P.C.	Mark W. Daniel	(630)833-3311
Print Name/Company	Contact Person	Contact Phone
17W733 Butterfield Road, Suite F, Oakbrook Terrace, IL 60181		(312)927-0177
Address To be Billed		Alternate Phone

NOTE: If the applicant/owner has not complied with these requirements and notification has not been sent to a neighboring property owner within the 250-foot requirement less than 10 days prior to the scheduled hearing, the hearing on this matter will be postponed to the next regular meeting, or until such time as all neighbors within the 250-foot requirement have been sent proper notification.

PIN	Parcel Address	Deed Address	Tax Address
0633201018	204 Midwest Club Oak Brook, IL 60523	Syed N. Ahmed 204 Midwest Club Oak Brook, IL 60523	AHMED, SYED N 204 MIDWEST CLUB OAK BROOK IL 60523
0628403016	2921 Oak Brook Hills Rd Oak Brook, IL 60523	The Raymond Paice & Esther Paice Trust No. 1 2921 Oak Brook Hills Rd Oak Brook, IL 60523	PAICE, RAYMOND P & ESTHER 2921 OAK BROOK HILLS OAK BROOK IL 60523
0633201016	202 Midwest Club Rd Oak Brook, IL 60523	Vivek K. Singhal & Asha Singhal, Trustees 202 Midwest Club Oak Brook, IL 60523	SINGHAL, VIVEK & ASHA 202 MIDWEST CLUB OAK BROOK IL 60523
0628403014	31ST AT MIDWEST RD HINSDALE, 60521	no deed found	BUTTERFIELD CTRY CLUB c/o Scott Azinger 2800 MIDWEST RD OAK BROOK IL 60523
0628403015	2917 Oak Brook Hills Rd Oak Brook, IL 60523	Guljit Singh 2917 Oak Brook Hills Rd Oak Brook, IL 60523	SINGH, GULJIT & SIMRATA 2917 OAK BROOK HILLS OAK BROOK IL 60523
0628403012	3001 Oak Brook Hills Rd Oak Brook, IL 60523	Arun & Sonia Veluchamy 3001 OAK BROOK HILLS OAK BROOK IL 60523	VELUCHAMY, ARUN & SONIA 3001 OAK BROOK HILLS OAK BROOK IL 60523
0633201013	405 MIDWEST CLUB OAK BROOK IL 60523	Michael and Laura Bieselin 405 Midwest Club Parkway Oak Brook, IL 60523	BIESELIN, MICHAEL & LAURA 405 MIDWEST CLUB OAK BROOK IL 60523-2528
0633201012	404 Midwest Club Oak Brook, IL 60523	Midwest Bank and Trust Co., Trust #88-09-5592, Dated Sept. 7, 1988 404 Midwest Club Oak Brook, IL 60523	MORRONE, JAMES A 404 MIDWEST CLUB OAK BROOK IL 60523
0633201017	203 Midwest Club Oak Brook, IL 60523	The Midwest Club 1100 Midwest Club Oak Brook, IL 60523	RIOS, EDGAR & MARIA 203 MIDWEST CLUB OAK BROOK IL 60523
0633201011	403 Midwest Club Oak Brook, IL 60523	NADA KHADRA 403 MIDWEST CLUB OAK BROOK IL 60523	KHADRA, NADA 403 MIDWEST CLUB OAK BROOK IL 60523
0633201015	201 Midwest Club Oak Brook, IL 60523	Syed Rahman 201 Midwest Club Parkway Oak Brook, IL 60523	RAHMAN, SYED & SAHIRA 201 MIDWEST CLUB PKY OAK BROOK IL 60523
0633201014	406 Midwest Club Oak Brook, IL 60523	Hugh G. Kepner, Trustee Hugh G. Kepner Declaration of Trust dated 4/26/1989 406 Midwest Club Oak Brook, IL 60523	KEPNER, HUGH G TR 406 MIDWEST CLUB OAK BROOK IL 60523-2528

0633201010	402 Midwest Club Oak Brook, IL 60523	Samuel T. Tornatore, Jr. 402 Midwest Club Pkwy Oak Brook, IL 60523	TORNATORE JR, SAML T 402 MIDWEST CLUB PKW OAK BROOK IL 60523
0633201009	401 Midwest Club Oak Brook, IL 60523	SHIRSAT, MILIND & SANI 18 SHELBURNE DR OAK BROOK IL 60523-1747	SHIRSAT, MILIND & SANI 18 SHELBURNE DR OAK BROOK IL 60523-1747
0633201019	205 Midwest Club Oak Brook, IL 60523	MURAD FAZAL 205 MIDWEST CLUB OAK BROOK IL 60523	FAZAL, MURAD 205 MIDWEST CLUB OAK BROOK IL 60523
0633202016	301 Midwest Club Oak Brook, IL 60523	LAL, RONAK & SAROJ K 301 MIDWEST CLUB PRK OAK BROOK IL 60523	LAL, RONAK & SAROJ K 301 MIDWEST CLUB PRK OAK BROOK IL 60523
0633202017	107 Midwest Club Oak Brook, IL 60523	LOUIE, ERIC K & KAREN G 107 MIDWEST CLB PKWY OAK BROOK IL 60523	LOUIE, ERIC K & KAREN G 107 MIDWEST CLB PKWY OAK BROOK IL 60523
HOA		Oak Brook Hills Road Homeowner's Association c/o Kenneth W. Clingen 2300 Cabot Dr., Suite 500 Lisle, IL 60532	Midwest Club HOA c/o ROB DAY 1100 MIDWEST CLUB PARKWAY Oak Brook, IL 60523

Subject Property Verification

(Complete a separate form for each P.I.N.)

1. Permanent Index Number (P.I.N. from Real Estate Tax Bill): 06 28 403 013
2. Common Address: 3005 Oak Brook Hills Road, Oak Brook, IL 60523
3. Type the Complete Legal Description Below. (Attach a separate page if longer than the area provided)
4. Email the Legal Description to gpolanek@oak-brook.org

LEGAL DESCRIPTION:

THE EAST 285.0 FEET OF THE SOUTH 600.0 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

The Permanent Index Number, Common Address and Legal information provided has been verified as follows:

DuPage County Records/Research Room: (630-682-7398) Contact Person: Samantha Cannon

Date called: 12/13/2018 (8:45 AM)

I verify that the information provided above is accurate.

Mark W. Daniel
Printed Name

Signature

Date: December 13, 2018 **Relationship to Applicant:** Attorney

DO NOT WRITE IN THIS SPACE – FOR OFFICE USE ONLY

Legal Description Review

Corrections Required Yes _____ No _____

Approved By: _____ Date _____

LETTER OF AUTHORIZATION

Hon. Gopal G. Lalmalani & City Council
Hon. Marcia Tropinski & Planning & Zoning Commission
CITY OF OAK BROOK
1200 Oak Brook Road
Oak Brook, Illinois 60523

Re: 3005 Oak Brook Hills Road Authorization
MUTAZZ H. DARWEESH AND NADA AL-DALLAL

Dear Mayor Lalmalani and Chairman Tropinski:

MUTAZZ H. DARWEESH AND NADA AL-DALLAL execute this Letter of Authorization in order to indicate that MUTAZZ H. DARWEESH and NADA AL-DALLAL have fully authorized MARK W. DANIEL of DANIEL LAW OFFICE, P.C. to petition the Village of Oak Brook, DuPage County, Illinois for zoning relief in the form of an amendment to the zoning map and all other necessary zoning approvals for property commonly known as 3005 Oak Brook Hills Road (Permanent Index No. 06-28-403-013) as may be necessary from the Village of Oak Brook. The authorizing party represents that there are no preconditions to filing these applications other than those that may attend protection of collateral in mortgage and financing agreements. MUTAZZ H. DARWEESH and NADA AL-DALLAL have affixed their signatures to this Letter of Authorization voluntarily and with full knowledge of the purpose of this authorization. This authorization is not a power of attorney. This authorization expires December 30, 2019.

Sincerely,

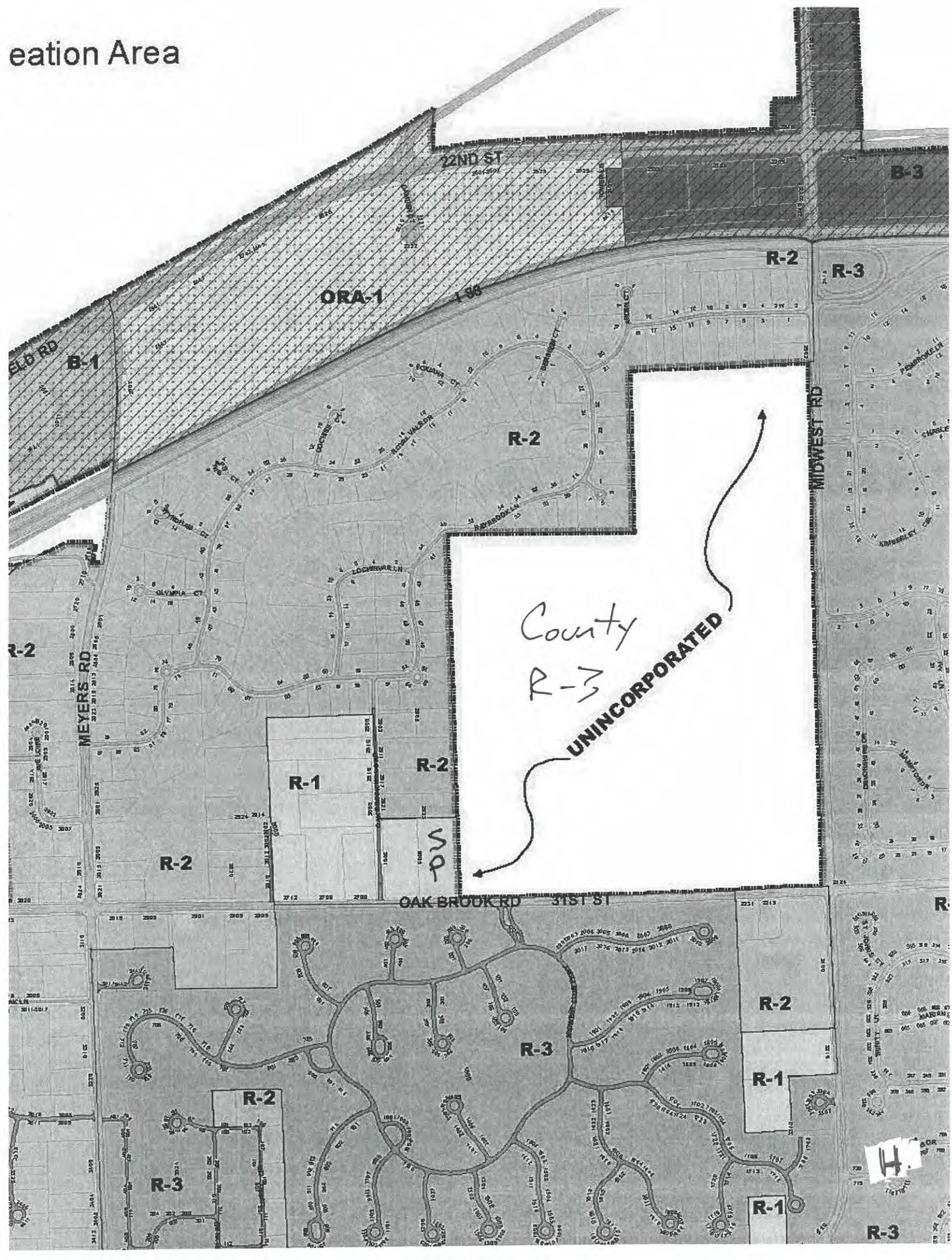
MUTAZZ H. DARWEESH and NADA AL DALLAL

By: MUTAZZ H. DARWEESH — Dated: December 16, 2018

By: NADA AL DALLAL — Dated: December 16, 2018

G

eation Area


22ND ST
B-3
R-2
R-3
ORA-1
I 88
B-1
R-2
MIDWEST RD
County
R-3
UNINCORPORATED
R-2
MEYERS RD
R-1
R-2
SP
R-2
OAK BROOK RD
31ST ST
R-2
R-3
R-1
R-2
R-3
R-1
R-3
H.

FIRST AMERICAN TITLE
FILE # 2918210

SPECIAL WARRANTY DEED
(CORPORATION TO INDIVIDUAL)

Mail to:
Mr. Mark Edelstein
Edelstein & Edelstein, P.C.
Attorneys at Law
3825 W. Montrose Avenue
Chicago, IL 60618

FRED BUCHOLZ
DUPAGE COUNTY RECORDER
JUN. 28, 2018 RHSP 2:15 PM
DEED $40.00 06-28-403-013
TRANSFER TAX IL/DUPAGE 2,475.00
004 PAGES R2018-059214

Name and Address of Taxpayer(s):
Mutazz H. Darweesh and Nada Al Dallal
3011 White Oak Ln.
Oak Brook, IL 60523

THIS INDENTURE, made this 29th day of May, 2018, between GRANTOR(S), **HANMI BANK** a California Banking Corporation organized and existing under the laws of the United States of America with its principal office and place of business located at 1140 Roosevelt Avenue, Irvine, Ca 92620, and duly authorized to transact business in the State of Illinois, party of the first part and **MUTAZZ H. DARWEESH AND NADA AL DALLAL,** husband and wife, of 3011 White Oak Ln., Oak Brook, Illinois, NOT AS TENANTS IN COMMON, NOT IN JOINT TENANCY BUT AS **TENANTS BY THE ENTIRETY,** party of the second part, WITNESSETH, that the party of the first part, for and in consideration, in hand paid, by the party of the second part, the receipt whereof is hereby acknowledged and pursuant to authority of the Board of Directors of said corporation, by these presents does REMISE, RELEASE, ALIEN AND CONVEY, unto the party of the second part, and to their heirs and assigns, FOREVER, all the following described real estate in the County of DuPage, and State of Illinois, known and described as follows, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN

Together with all and singular and hereditaments and appurtenances thereunto belonging or in anywise appertaining and the reversion and reversions, remainder and remainders, thereof, and all the estate, right, title, interest claim or demand whatsoever, of the party of the first part, either in law or equity, of, in and to the above described premises, with the hereditaments and appurtenances: TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto the party of the second party, their heirs and assigns forever, that it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be, in any manner encumbered or charged, except as herein recited; and that the said premises, against all persons lawfully claiming or to claim the same by through or under it WILL WARRANTY AND DEFEND, subject to:

Any outstanding general real estate taxes, any special assessments; building, building line and use or occupancy restrictions, conditions and covenants of record; zoning laws and

1

ordinances easements for public utilities; drainage ditches, feeders and drain tile pipe or other conduit.

Permanent Index No.: 06-28-403-013

Property Address: 3005 Oak Brook Hills Rd., Oak Brook, IL 60523

IN WITNESS WHEREOF, said party of the first party has caused its corporate seal to be hereto affixed and has caused its name to be signed to these presents by its Special Assets Manager, the day and year first above written.

HANMI BANK, A CALIFORNIA BANKING CORPORATION

By: **RENE GARCIA**
Its: **Special Assets Manager**

STATE OF CALIFORNIA)
COUNTY OF ORANGE)

On 05/29/2018, before me, VICENTE LUIS MADLANGBAYAN GAVINO, Notary Public, personally appeared **RENE GARCIA, Special Assets Manager** who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signatures on the instrument the persons, or the entity upon behalf on which the persons acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of State of California that the foregoing paragraph is true and correct.

VICENTE LUIS MADLANGBAYAN GAVINO
Notary Public - California
Orange County
Commission # 2231699
My Comm. Expires Feb 19, 2022

WITNESS my hand and official seal.

[SEAL]

Signature: VICENTE LUIS MADLANGBAYAN GAVINO

This instrument was prepared by:

Anne C. Grow, Attorney At Law, 830 W. Rt 22, #236, Lake Zurich, Il 60047 (630) 240-0065

I.1

FRED BUCHOLZ R2018-059214 DUPAGE COUNTY RECORDER

EXHIBIT A

LEGAL DESCRIPTION

Legal Description: THE EAST 285.0 FEET OF THE SOUTH 600.0 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

Permanent Index #'s: 06-28-403-013

Property Address: 3005 Oak Brook Hills Rd, Oak Brook, Illinois 60523-1633

I.2

AFFIDAVIT — METES AND BOUNDS

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS.

AFFIDAVIT — METES AND BOUNDS

Anne C. Groo, Atty, being duly sworn on oath, states that he/she resides at 830 W. Rt. 22 #236, Lake Zurich, IL 60047
That the attached deed is not in violation of Section 205/1 of Chapter 765 of the Illinois Compiled Statutes for one of the following reasons:

1. The division or subdivision of land is into parcels or tracts of five acres or more in size which does not involve any new streets or easements of access.
2. The division is of lots or blocks of less than one acre in any recorded subdivision which does not involve any new streets or easements of access.
3. The sale or exchange of parcels of land is between owners of adjoining and contiguous land.
4. The conveyance is of parcels of land or interests therein for use as right of way for railroads or other public utility facilities, which does not involve any new streets or easements of access.
5. The conveyance is of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
6. The conveyance is of land for highway or other public purposes or grants of conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.
7. The conveyance is made to correct descriptions in prior conveyances.
8. The sale or exchange is of parcels or tracts of land following the division into no more than two parts of a particular parcel or tract of land existing on July 17, 1959 and not involving ant new streets or easements of access.
9. The sale is of a single lot of less than five acres from a larger tract, the dimensions and configurations of said larger tract having been determined by the dimensions and configuration of said larger tract on October 1, 1973, and no sale, prior to this sale, or any lot or lots from said larger tract having taken place since October 1, 1973 and a survey of said single lot having been made by a registered land surveyor.
10. The conveyance is of land described in the same manner as title was taken by grantor(s).

THE APPLICABLE STATEMENT OR STATEMENTS ABOVE ARE CIRCLED.

AFFIANT further states that he/she makes this affidavit for the purpose of inducing the Recorder of DuPage County, State of Illinois, to accept the attached deed for recording.

SUBSCRIBED AND SWORN TO before me

Anne C. Groo, Atty

this 31st day of May, 2018

Notary Public

OFFICIAL SEAL
JORGE B SAHAGUN
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:04/10/22

FRED BUCHOLZ, DU PAGE COUNTY RECORDER
421 N. COUNTY FARM ROAD, BOX 936, WHEATON, ILLINOIS 60189

(Rev. 02/05)

I.3

FRED BUCHOLZ R2018-059214 DUPAGE COUNTY RECORDER

GRANT OF EASEMENT

The Grantor(s), Gerald Sharko and Mary Sharko, his wife

in consideration of the sum of One Dollar and other valuable consideration, receipt of which is hereby acknowledged, hereby give(s) and grant(s) to COMMONWEALTH EDISON COMPANY, an Illinois Corporation and Illinois Bell Telephone Company, an Illinois Corporation, their respective licensees, successors and assigns, jointly and severally, an easement to construct, operate, maintain, renew, relocate and remove, from time to time, [redacted], cables, conduits, [redacted] used in connection with [redacted] underground transmission and distribution of electricity, sounds and signals, together with right of access to the same and the right, from time to time, to trim or remove trees, bushes and saplings and to clear obstructions from the surface and subsurface as may be reasonably required incident to the grant herein given, in, [redacted], under, across, along and upon the surface of property situated in Section 28, Township 39 North, Range 11, East of the Third Principal Meridian in _____ County, Illinois described as follows:

Easement as shown on the attached sketch, marked Exhibit A, and amde a part hereof, of the property of the Grantors, described as follows.

The West 285.0 feet of the East 570.0 feet of the South 600.0 feet of the West Half of the Southeast Quarter of Section 28, Township39 North, Range 11, East of the Third Principal Meridian, in DuPage County, Illinois.

The Grantees shall restore the easement strip to substantially the same condition that existed prior to the starting of any construction work; being only responsible however, for their actions in the performance of their work.

This instrument prepared by D. J. Beach
1505 So. 1st Avenue, Maywood, Illinois 60153
on behalf of Commonwealth Edison Company

RECORDED
DU PAGE COUNTY

R82- 36465

1982 AUG 17 PM 1:00

George R. Rudolph

For Individual Signatures

IN WITNESS WHEREOF, the Grantor(s), set(s) THEIR hand(s) and seal(s) hereto this 23RD day of JUNE, 1982.

_____ Seal ✓ Gerald Sharko Seal

_____ Seal ✓ Mary Sharko Seal

For Corporate or Trust Signature

IN WITNESS WHEREOF, the Grantor _____

has caused this instrument to be executed on its behalf and its corporate seal to be affixed hereto this _____ day of _____, 19__.

ATTEST: _____ By _____

_____ Secretary (_____ President/Trust Officer)

Complete the Appropriate Acknowledgment on Reverse Side Hereof

J

R82- 36465

If grantors are individuals, complete the following:

State Of ILLINOIS
County Of DU PAGE

I, the undersigned, a Notary Public in and for the said County and State aforesaid, do hereby certify that GERALD SHARKO, MARY SHARKO, personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she/they signed, sealed and delivered this instrument as his/her/their free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and NOTARIAL SEAL this 23RD day of JUNE 1982.

Donald H. Baird
Notary Public

If grantor is a corporation or trust, complete the following:

State Of _____
County Of _____

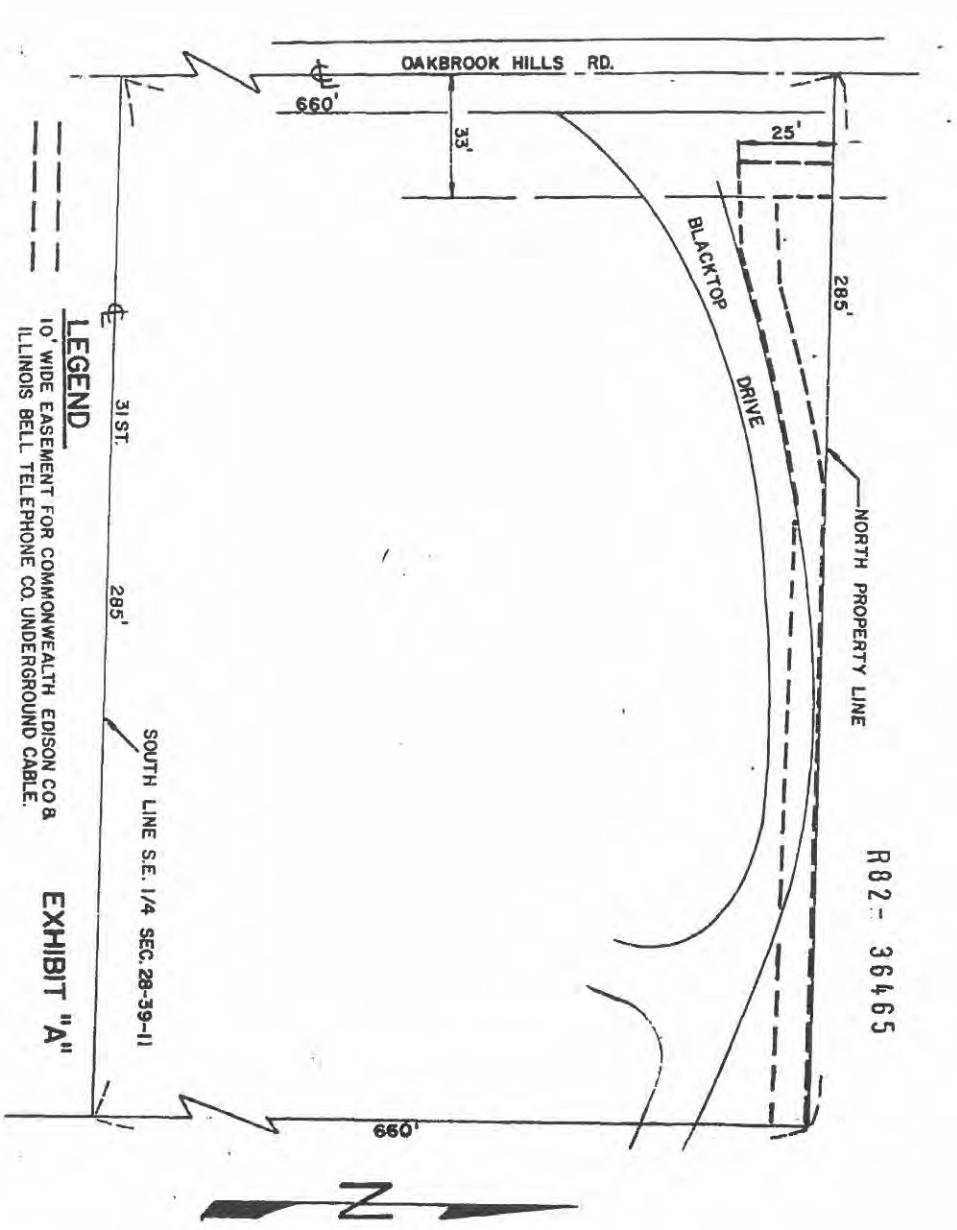
I, the undersigned, a Notary Public in and for the said County and State aforesaid, do hereby certify that _____, (_____ President)(Trust Officer) of the _____, and _____, _____ Secretary of said corporation, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and delivered said instrument as their own free and voluntary act and as the free and voluntary act of said corporation for the uses and purposes therein set forth; and the said _____ Secretary then and there acknowledged that he/she, as custodian of the seal of said corporation, did affix the seal to the foregoing instrument as his/her free and voluntary act and the free and voluntary act of said corporation, for the uses and purposes therein set forth.

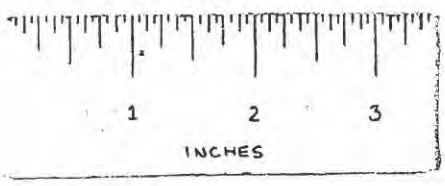
GIVEN under my hand and NOTARIAL SEAL this _____ day of _____, 19____.

_____
Notary Public

86-9986(S) 6-70

J.1


OAKBROOK HILLS RD.
660'
33'
25'
285'
BLACKTOP DRIVE
NORTH PROPERTY LINE
31 ST.
285'
SOUTH LINE S.E. 1/4 SEC. 28-39-11
660'
N
LEGEND
10' WIDE EASEMENT FOR COMMONWEALTH EDISON CO & ILLINOIS BELL TELEPHONE CO. UNDERGROUND CABLE.
EXHIBIT "A"
R82- 36465


1
2
3
INCHES

J.2

PLAT

TEMPORARY RECEIPT
GEORGE R. RUDOLPH
Recorder of Deeds
Du Page County
Wheaton, Illinois

Date 12-3-80

Check	Cash
16-	

RECEIVED FROM Brian T. Morrow

TITLE Grant of Easement + plat exhibit — Gerald Starke, et al = Grantor; Citizens Nat'l Bk of D.G. - Grantee

DESCRIPTION pt W½ of SE¼ Sec. 28 Twp. 39 Rng. 11

DATE OF INSTRUMENT Nov. 1st, 1980

MAIL TO Brian T. Morrow
1 Heritage Bank Plaza 75th St + Lemont Rd Downers Grove, Ill. 60515

Copies _____ Certified _____ CHARGE _____

Accompanying Papers Grant of Easement ✓

RECORDER
DU PAGE COUNTY

R80- 75231

1980 DEC -2 AM 10: 30

George R. Rudolph

BOOK 100

PAGE 12

Received—Map & Zoning Dept.

By _____ ✓

Date _____

J.3

RECORDER
DU PAGE COUNTY

R80- 75231

1980 DEC -3 AM 10:30

George P. Rudolph

GRANT OF EASEMENT

THIS GRANT OF EASEMENT, made this 14th day of November, 1980, by and between GERALD SHARKO and MARY SHARKO, husband and wife, (hereinafter called "Grantor") and CITIZENS NATIONAL BANK OF DOWNERS, CROVE AS TRUSTEE, UNDER TRUST # 2221, ~~husband and wife~~, (hereinafter called "Grantee").

FOR AND IN CONSIDERATION of TEN ($10.00) DOLLARS and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by Grantor, it is agreed as follows:

1. Grantor does hereby grant, give, convey, and quit claim unto the Grantee, its successors, assigns, transferees and lessees, a perpetual, transferable, and assignable easement, privilege, right, power, and authority to construct, reconstruct, repair, inspect, maintain, and operate a water distribution system, sewer system, electrical service, telephone service system under and through that portion of land owned by Grantor and described in the attached Exhibit "A" incorporated herein by reference.

The easements, rights, privileges, and authority conveyed by the Grants set forth above shall at all times be deemed to be and shall be covenants running with the land.

The Grantor shall have and retain all rights to the use and occupation of the real estate described in Exhibit "A", except as herein expressly granted and provided, and such use and occupation by the Grantors shall not unnecessarily be impeded or interfered with during the period of any construction work performed under this grant. Additionally, Grantee agrees that there shall be no interruption or interference with the utilities, water or sewer facilities now serving Grantor's property by reason of the construction, maintenance, or repair of the water distribution system, sewer system, electric service, or telephone service system.

THIS TRANSACTION EXEMPT UNDER SECTION 4c
Brian T. Morrow 11-14-80

THIS DOCUMENT WAS PREPARED BY
BRIAN T MORROW, 750 LEMONT RD
DOWNERS GROVE, IL 60517

A delineation of the property described in this instrument appears in
PLAT BOOK NO. 100 PAGE 12

16 pd

J.4

All soil and other materials excavated from the property described herein in Exhibit "A", except said portion thereof as Grantee shall use as backfilling, grading and covering any system to a sufficient depth to protect the same from injury and damage, shall be removed from the property by the Grantee. As soon as is practicably possible, following construction, Grantee shall at its cost restore any damage to the blacktop drive and landscaping to a condition which as reasonably possible resembles that which existed immediately before the commencement of the construction.

Grantor covenants and agrees not to disturb, damage, destroy, injure or obstruct any system nor to obstruct or interfere with Grantee, its contractors or subcontractors, agents or employees in the exercise of the rights, privileges or authority herein granted.

Grantor agrees and covenants that no buildings, structures, or other improvements, other than the current blacktop driveway will be constructed, erected or placed over any portion of the easement described in Exhibit "A".

R80- 75231

Grantor and Grantee agree to maintain, repair, and construct, as may be necessary in the future, that blacktop driveway which runs along and upon the northern half of the real estate described in attached Exhibit "A". Both Grantor and Grantee shall share equally in the cost of maintaining, repairing, and constructing said blacktop driveway.

This grant, and the covenants and agreements herein contained shall be binding upon and inure to the benefit of the successors, assigns, heirs, devisees, transferees, grantees and lessees of the respective parties hereto.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed on the date and year first above written.

Gerald Sharko
GERALD SHARKO

Mary Sharko
MARY SHARKO

J.5

STATE OF ILLINOIS)
) SS.
COUNTY OF DUPAGE)

I, the undersigned, a Notary Public, in and for said County in the State aforesaid, do hereby certify that GERALD SHARKO and MARY SHARKO personally known to me to be the same persons whose names were subscribed to the foregoing instrument appeared before me this day in person and acknowledged that they signed, sealed, and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notorial seal this 14th day of November, 1980.

Brian T. Harrow
Notary Public

R80- 75231

ACCEPTANCE

Citizens National Bank of Downers Grove as Trustee under Trust No. 2221 ~~do~~ hereby accepts the foregoing grant and easement and the terms and conditions thereof.

Michael J. DeBartolo Trust Officer

Cristy L. Bowman Ass't. Sec.

This instrument is executed by CITIZENS NATIONAL BANK OF DOWNERS GROVE, Illinois, not personally but solely as Trustee, as aforesaid. All the covenants and conditions to be performed hereunder by CITIZENS NATIONAL BANK OF DOWNERS GROVE are undertaken by it solely as Trustee, as aforesaid and not personally and no personal liability shall be asserted against CITIZENS NATIONAL BANK OF DOWNERS GROVE by reason of any of the covenants, statements or representations contained in this instrument.

Mail to Brian T. Harrow
1 Heritage Bank Plaza
95th St + Lemont Rd
Downers Grove, Ill. 60515

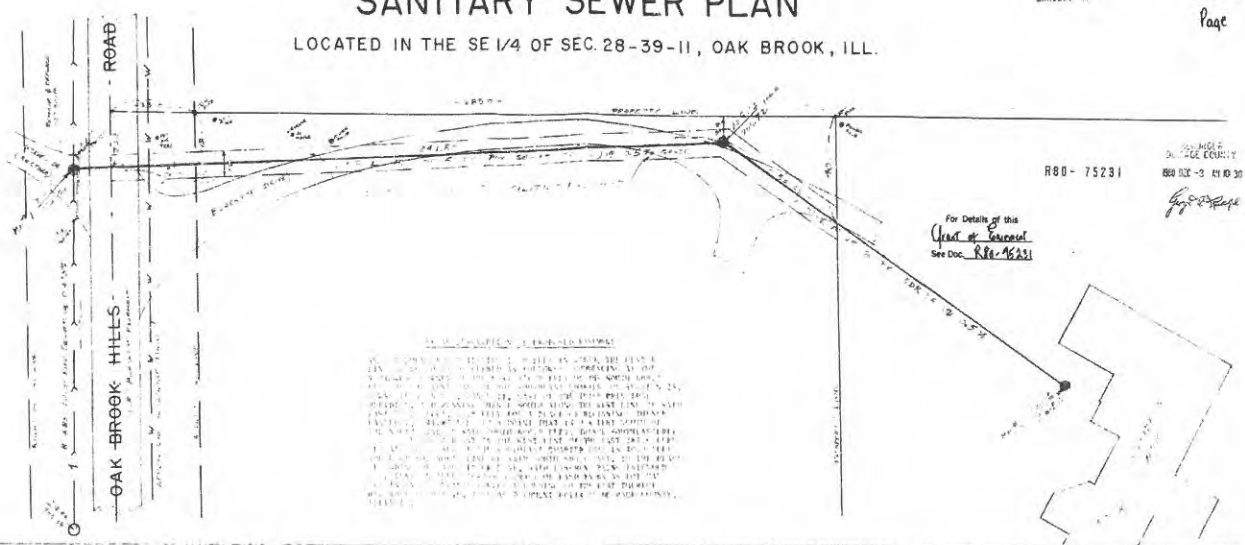
J.6

SANITARY SEWER PLAN

LOCATED IN THE SE 1/4 OF SEC. 28-39-11, OAK BROOK, ILL.

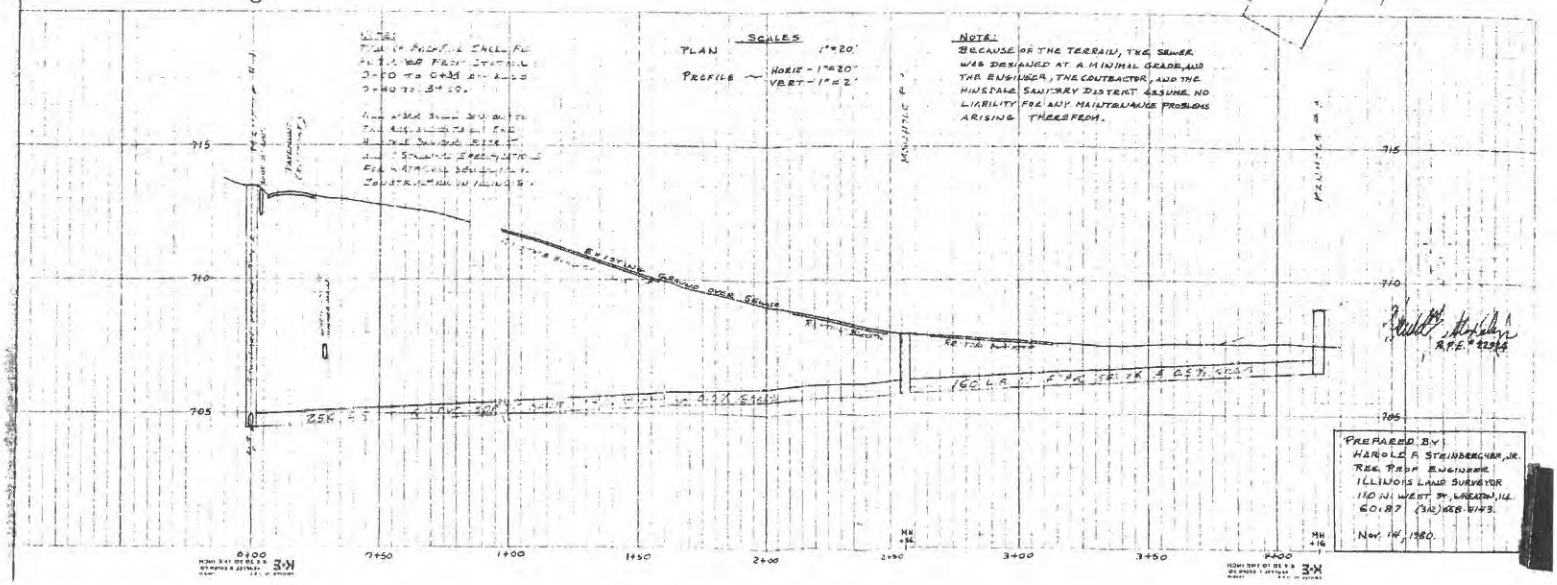
EXHIBIT "A"

Book 180
Page 12



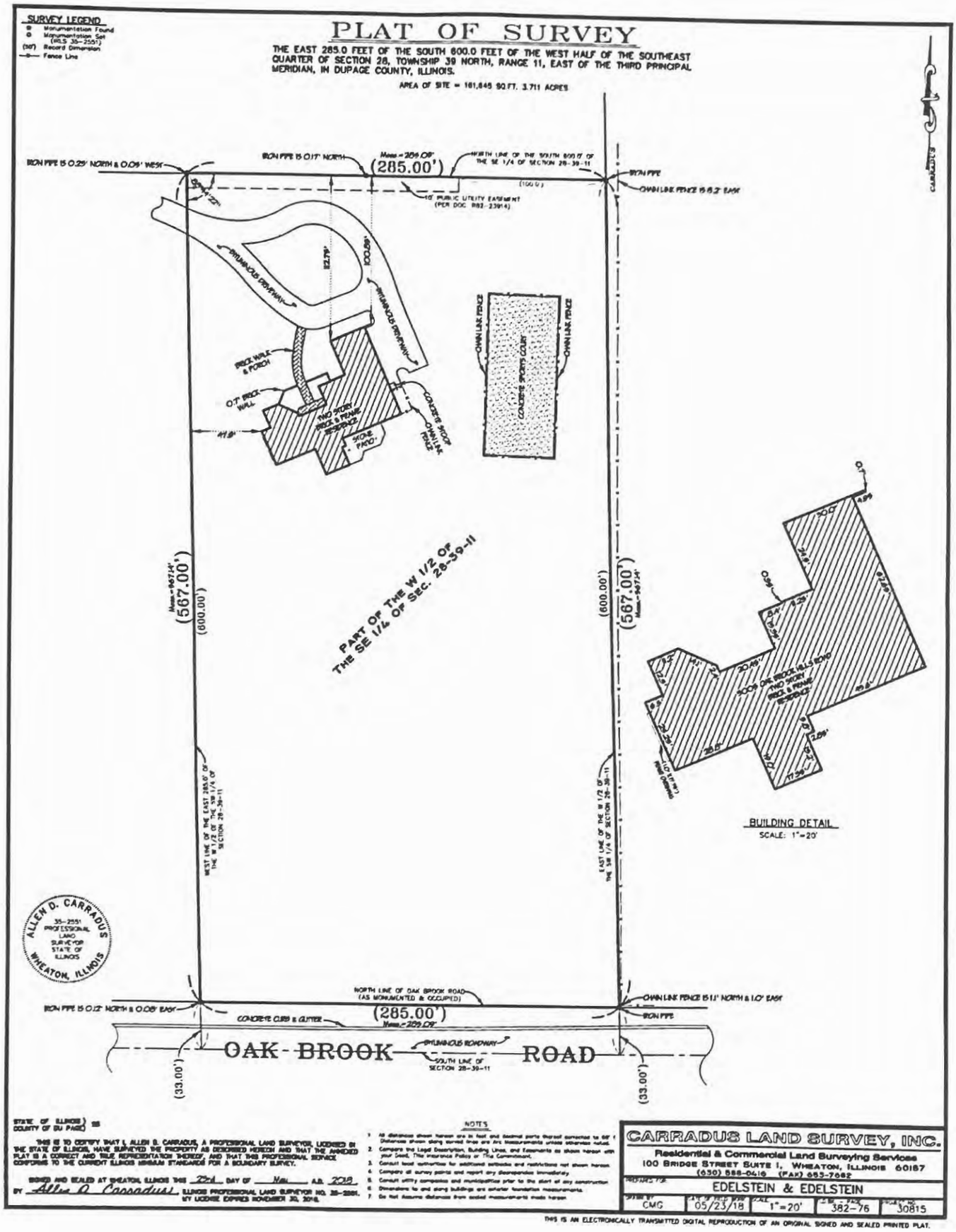
SCALES
PLAN 1"=20'
PROFILE — HORIZ - 1"=20'
VERT - 1"=2'

NOTE:
BECAUSE OF THE TERRAIN, THE SEWER WAS DESIGNED AT A MINIMAL GRADE AND THE ENGINEER, THE CONTRACTOR, AND THE HINSDALE SANITARY DISTRICT ASSUME NO LIABILITY FOR ANY MAINTENANCE PROBLEMS ARISING THEREFROM.



PREPARED BY:
HAROLD A STEINBERGER, JR.
REG. PROF. ENGINEER
ILLINOIS LAND SURVEYOR
110 N. WEST ST., LOMBARD, ILL.
60187 (312) 668-6143.
Nov. 14, 1980.

J.7



STATE OF ILLINOIS) SS
COUNTY OF DU PAGE)

THIS IS TO CERTIFY THAT I, ALLEN D. CARRADUS, A PROFESSIONAL LAND SURVEYOR, LICENSED IN THE STATE OF ILLINOIS, HAVE SURVEYED THE PROPERTY AS DESCRIBED HEREON AND THAT THE ANNEXED PLAT IS A CORRECT AND TRUE REPRESENTATION THEREOF, AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

SIGNED AND SEALED AT WHEATON, ILLINOIS THIS 22nd DAY OF May A.D. 2018
BY Allen D. Carradus ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2551. MY LICENSE EXPIRES NOVEMBER 30, 2018.

NOTES

1. All distances shown hereon are in feet and decimal parts thereof corrected to 68° F. Distances shown along curved lines are arc measurements unless otherwise noted.
2. Compare this Legal Description, Building Lines, and Easements as shown hereon with your Deed, Title Insurance Policy or Title Commitment.
3. Consult local authorities for additional setbacks and restrictions not shown hereon.
4. Compare all survey points and report any discrepancies immediately.
5. Consult utility companies and municipalities prior to the start of any construction.
6. Dimensions to and along buildings are exterior foundation measurements.
7. Do not assume distances from scaled measurements made hereon.

CARRADUS LAND SURVEY, INC.
Residential & Commercial Land Surveying Services
100 BRIDGE STREET SUITE 1, WHEATON, ILLINOIS 60187
(630) 588-0416 (FAX) 653-7662

PREPARED FOR: EDELSTEIN & EDELSTEIN				
DRAWN BY: CMG	DATE OF FIELD WORK: 05/23/18	SCALE: 1"=20'	FILE: 382-76	JOB NO.: 30815

THIS IS AN ELECTRONICALLY TRANSMITTED DIGITAL REPRODUCTION OF AN ORIGINAL SIGNED AND SEALED PRINTED PLAT.

Scanned with CamScanner

K