

**RESOLUTION ADOPTING THE
INTERGOVERNMENTAL AGREEMENT BETWEEN
THE VILLAGE OF OLD MILL CREEK, THE VILLAGE OF WADSWORTH
AND THE COUNTY OF LAKE
REGARDING THE ILLINOIS ROUTE 173/I-94 INTERCHANGE**

WHEREAS, intergovernmental cooperation between Illinois local governments is authorized directly by Section 10(a) of Article VII of the Illinois Constitution 1970, and is further authorized by the Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*; and

WHEREAS, Lake County, the Village of Old Mill Creek, and the Village of Wadsworth, have a joint interest in promoting high quality economic development, job creation, and the establishment of a gateway to Lake County at the Route 173/I-94 interchange area by setting appropriate land use and development standards and establishing criteria and procedures for providing sewer, water and other infrastructure and services.

NOW, THEREFORE, BE IT RESOLVED by this County Board of Lake County Illinois that the County Board Chairman is hereby authorized to execute the Intergovernmental Agreement Between The Village of Old Mill Creek, The Village of Wadsworth And The County of Lake Regarding The Illinois Route 173/I-94 Interchange, in substantially the same form as the agreement attached hereto; and

BE IT FURTHER RESOLVED, by this County Board of Lake County Illinois that the County Board authorize the Regional Planning Commission to conduct all necessary public hearings and take all necessary actions to consider amendment to the Lake County Framework Plan to be consistent with the Plan for the Route 173/I-94 interchange area, as set forth in the Intergovernmental Agreement; and

BE IT FURTHER RESOLVED, by this County Board of Lake County Illinois that the County Board authorize the Zoning Board of Appeals to conduct all necessary public hearings and take all necessary actions to consider amendment to the text of the Unified Development

Ordinance to create a planned unit development district applicable to the Route 173/I-94 interchange area and which incorporates all elements of the Plan, as set forth in the Intergovernmental Agreement.

DATED at Lake County Board, Lake County, Illinois, this 14th day of November, A.D. 2006.

**INTERGOVERNMENTAL AGREEMENT BETWEEN
THE VILLAGE OF OLD MILL CREEK, THE VILLAGE OF WADSWORTH
AND THE COUNTY OF LAKE
REGARDING THE ILLINOIS ROUTE 173/I-94 INTERCHANGE**

THIS INTERGOVERNMENTAL AGREEMENT (the "Agreement") is made this 14 day of November, 2006, by and between the VILLAGE OF OLD MILL CREEK, an Illinois municipal corporation ("Old Mill Creek"), the VILLAGE OF WADSWORTH, an Illinois municipal corporation ("Wadsworth") (collectively, the Village of Old Mill Creek and the Village of Wadsworth are referred to as the "Villages"), and the COUNTY OF LAKE (the "County") (the County, Old Mill Creek, and Wadsworth are collectively referred to as the "Parties" and individually, generally as "Party").

RECITALS

WHEREAS, intergovernmental cooperation between Illinois local governments is authorized directly by Section 10(a) of Article VII of the Illinois Constitution 1970, and is further authorized by the Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*; and

WHEREAS, Old Mill Creek, Wadsworth and Lake County are parties to a Memorandum of Understanding establishing the Route 173 Corridor Council (the "Council") which was filed with the Lake County Recorder on April 12, 2004, as document number 5534633; and

WHEREAS, the Council, comprised of representatives from the Parties, jointly developed the Route 173 Interchange Land Use and Development Standards and Land Use Concept Plan (the "Plan," attached as Exhibit A) for an area consisting of the northeast, southeast, and northwest quadrants of the Illinois Route 173/I-94 interchange and legally described in Exhibit B (the "Subject Area"); and

WHEREAS, portions of the northeast quadrant and the southeast quadrant of the Subject

Area are in the Village of Wadsworth and portions are in unincorporated areas of the County and portions of the northwest quadrant of the Subject Area are in the Village of Old Mill Creek and portions are in unincorporated areas of the County; and

WHEREAS, the Parties are concerned with ensuring appropriate land use and development standards for the Subject Area and to minimize the impact of such development on infrastructure, schools, and municipal sewers; and

WHEREAS, the County has a sewer treatment plant, the Mill Creek Water Reclamation Facility which provides treatment of the sanitary sewer for the Northeast Lake FPA Special Service Area (the "Northeast Lake FPA SSA") established pursuant to ordinance dated December 2, 1994 (the Establishing Ordinance for the Northeast Lake FPA Special Service Area (the "Establishing Ordinance") is attached to this Agreement as Exhibit C) and serves those properties that are in or subsequently annexed into the Northeast Lake FPA SSA pursuant to the terms of the Establishing Ordinance; and

WHEREAS, the northwest quadrant, northeast quadrant, and southeast quadrant of the Subject Area are not currently in the Northeast Lake FPA SSA and therefore have no right or ability to receive sanitary sewer service from the Mill Creek Water Reclamation Facility except through approval of the County Board and annexation into the Northeast Lake FPA SSA; and

WHEREAS, pursuant to 35 ILCS 200/27-5 the County cannot expand the Northeast Lake FPA SSA into a municipality without the consent of the municipality; and

WHEREAS, the corporate authorities of each of the Parties desire to set the standard for high quality economic development, provide jobs, and create a gateway to Lake County within the Subject Area irrespective of whether it develops within the unincorporated areas of the

County or the Villages;

NOW, THEREFORE, in consideration of the foregoing premises, mutual promises, covenants, and agreements set forth herein, the Village of Old Mill Creek, the Village of Wadsworth, and the County of Lake hereby agree as follows:

Section 1. Recitals. The foregoing recitals are material to this Agreement and are incorporated herein as though fully set forth in this Section 1.

Section 2. Land Use Planning. The Parties will conduct all necessary public hearings and consider all necessary actions in their respective corporate authority to amend their respective comprehensive plans to be consistent with the Plan for the Subject Area. Consideration of these amendments shall be completed within six (6) months of the approval of this Agreement.

Section 3. Zoning. The Parties will conduct the necessary public hearings and consider all necessary actions in their respective corporate authority to amend the text of their respective zoning ordinances to create a planned unit development district applicable to the Subject Area which incorporates all elements of the Plan, specifically the use and development standards, the building and site design standards, and the concept plan. Consideration of these amendments shall be completed within six (6) months of approval of this Agreement.

Section 4. Permit Application; Review; Approval.

Provided that the Party's approval of the amendments contemplated in Sections 2 and 3 of this Agreement:

A. All applications for rezoning, planned unit development, subdivision, building, or other development permits relating to any parcel within the Subject Area ("Development Application"), as well as the review of such applications, shall be in accordance

with the applicable plans, codes, ordinances, and regulations developed in accordance with this Agreement.

B. The Parties will take available necessary steps to limit uses within the Subject Area that do not conform to the Plan.

C. As part of any Party processing of a Development Application with respect to the development of any parcel within the Subject Area:

1. The Party receiving a Development Application (the "Approving Party") shall ensure that the other Parties to this Agreement (the "Commenting Parties") receive five sets of the application and all relevant plans relating to such application. The Development Application shall be delivered to the Commenting Parties upon receipt by the Approving Party but, at a minimum, no less than 30 days prior to any binding consideration by the Approving Party or, if a public hearing is required in connection with the Development Application, no less than ten (10) days before the commencement of such hearing. The Development Application shall be delivered to the individual identified in Section 10 under the Notice provisions of this Agreement.
2. The Commenting Parties shall have "agency status" for review of the Development Application and shall be allowed to provide verbal and/or written comments, within reason, throughout the decision making process of the Approving Party.
3. The Approving Party shall require the developer to provide the necessary on-site and off-site infrastructure to serve the proposed development with sanitary sewer in a manner acceptable to the Lake County Department of Public Works subject to and in accordance with the process set forth in Section 5 below. The Lake County Department of Public Works may deem it necessary for such infrastructure to be designed and sized to allow its extension and/or expansion to serve all other properties within the Subject Area, to the use level contemplated by the Plan. Where over sizing is required, rights for recapture may be provided to the extent permitted by Illinois law.
4. The Approving Party shall require the developer to provide the necessary on-site and off-site infrastructure to serve the proposed development with a water supply in a manner acceptable to the Lake County Department of Public

Works, as determined by the process set forth in Section 6 below. The Lake County Department of Public Works may deem it necessary for such infrastructure to be designed and sized to allow its extension and/or expansion to serve all or a portion of the other properties within the Subject Area, to the use level contemplated by the Plan. Where over sizing is required, rights for recapture may be provided to the extent permitted by Illinois law.

5. Upon completion of installation of sanitary sewer and public water supply infrastructure, to the satisfaction of the Lake County Department of Public Works, Lake County may require such infrastructure to be transferred to the Lake County Department of Public Works for ownership, operation and maintenance.

Section 5. Sanitary Sewer Provision

A. The Villages agree that they will not request or consent to an amendment to the Northeast Lake FPA SSA to expand the Northeast Lake FPA SSA or annex any parcel into the Northeast Lake FPA SSA pursuant to the terms of the Establishing Ordinance to provide retail service to a development within the Subject Area with sanitary sewer unless the Development Application and proposed development are in conformance with the development standards of the Plan and the terms of this Agreement.

B. The County agrees that it will not initiate any expansion of the Northeast Lake FPA SSA to any parcel within the Subject Area unless the Development Application and proposed development for such parcel are in conformance with the Plan and the terms of this Agreement.

C. Any expansion of or annexation of any parcel within the Subject Area into the Northeast Lake FPA SSA shall be (i) in accordance with the terms of the Plan and (ii) shall be subject to a proper annexation agreement as contemplated in, and an amendment to the Establishing Ordinance. The Parties acknowledge that all requests for expansion of or annexation

of any parcel within the Subject Area into the Northeast Lake FPA SSA will be evaluated under the provisions of the County's sewer policy "Considerations and Principles Relating to Intergovernmental Agreements for Sewer and Amendments to Existing Agreements", in effect at the time of such consideration, as well as the requirements of the Special Service Area Tax Law, 35 ILCS 200/27-5 et seq.

D. Any expansion of or annexation of any parcel within the Subject Area into the Northeast Lake FPA SSA will be subject to all applicable connection and annexation fees in effect at the time of such expansion or annexation.

E. All sanitary sewer infrastructure installed as a result of any expansion of or annexation of any parcel within the Subject Area into the Northeast Lake FPA SSA must be sized and designed to the standards required by the Lake County Department of Public Works, applicable at the time of such development.

F. The Lake County Department of Public Works permit process shall be used and applied to any expansion of the Northeast Lake FPA SSA to the Subject Area and pursuant to the terms of this Agreement.

G. Upon completion of installation of the sanitary sewer infrastructure, to the satisfaction of the Lake County Department of Public Works, Lake County may require the transfer of such infrastructure without charge to the Lake County Department of Public Works for ownership, operation and maintenance.

Section 6. Public Water Provision.

A. Development Applications for any parcel in the Subject Area will be reviewed by the Lake County Department of Public Works for a determination as to whether

public water service is available and appropriate. If the Lake County Department of Public Works determines that public water is not available or appropriate, such development can consider use of a private well system for water provision.

B. Any public water supply infrastructure installed as a result of development subject to this Agreement must be sized and designed to the standards set by the Lake County Department of Public Works, applicable at the time of such development.

C. The Lake County Department of Public Works permit process shall be used and applied to all infrastructure for a public water supply installed to any parcel in the Subject Area and pursuant to the terms of this Agreement.

D. Upon completion of installation of the public water supply infrastructure, to the satisfaction of the Lake County Department of Public Works, Lake County may require the transfer of such infrastructure without charge to the Lake County Department of Public Works for ownership, operation and maintenance.

Section 7. School Impact Fees. Residential development will only be allowed within the Subject Area in accordance with the Plan. In approving residential development, the Approving Party shall impose any and all school impact and operation lag fees permissible under Illinois law. When any portion of the Subject Area is in unincorporated Lake County and one of the Villages receives a request for annexation, such Party agrees to impose upon the developer or applicant all fees necessary, as allowed by Illinois law, to cover the long-term school impacts and short-term operational and impact lag fees.

Section 8. Other Impact and Host Community Fees. When any portion of the Subject Area is in unincorporated Lake County and one of the Villages receives a request for annexation,

such Party agrees to impose upon the developer or applicant all other impact or host fees necessary, as allowed by Illinois law, to cover the expenses reasonably related to the development in the Subject Area.

Section 9. Non-residential Development. When reviewing and commenting or approving nonresidential developments, the Parties will not impose more restrictive development standards in the Subject Area than what is set forth in the Plan. Nor will the Parties take any other actions that unreasonably impede nonresidential development that conforms with the Plan or this Agreement.

Section 10. Notice. All notices, elections, and other communications between the Parties hereto shall be in writing and shall be mailed by certified mail, return receipt requested, postage prepaid, or delivered personally, to the Parties at the following addresses, or at such other addresses as the Parties may, by notice, designate:

If to Village of Old Mill Creek
Attention:

If to Village of Wadsworth:
Attention:

If to the County of Lake:
County of Lake
Attention: County Administrator
18 North County Street
Waukegan, IL 60085

Notices shall be deemed received on the third business day following deposit in the U.S. Mail, if given by certified mail as aforesaid, and upon receipt, if personally delivered.

Section 11. Applicable Law; Venue; Challenges to Agreement; Interpretation; Severability.

A. Applicable Law and Venue. This Agreement is executed and to be performed in the State of Illinois, and shall be governed by and construed in all respects, whether as to validity, construction, capacity, performance, or otherwise, in accordance with the laws of the State of Illinois. It is agreed between the parties that, in the event of any dispute involving, arising out of, or concerning this Agreement, venue shall lie in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

B. Joint Defense. In the event that a third-party should make a claim or demand or file a suit challenging the provisions of this Agreement (including without limitation any challenge that this Agreement or any action taken pursuant to this Agreement is inconsistent with the terms of the Plan) (a "Claim"), the Parties shall jointly defend themselves, each other, and this Agreement against such Claim, unless the Parties mutually agree to modify the Agreement in a manner that would negate the Claim. Nothing in this Section 11.B shall either (i) preclude a Party from challenging the actions of another Party as being inconsistent with this Agreement or the Plan, or (ii) require a party to jointly defend an action brought pursuant to Section 11.B(i).

C. Interpretation and Severability. It is the intent of the Parties that the Subject Area be developed primarily for nonresidential purposes and this Agreement has been entered into to further this purpose. It is the further intent of the Parties that this Agreement be construed and interpreted so as to preserve its validity and enforceability as a whole. In case of any conflict among the provisions of this Agreement, the provision that best promotes and reflects the intent of the Parties shall control. If any provision of this Agreement is construed or held to be void,

invalid, or unenforceable in any respect, the remaining provisions of this Agreement shall not be affected thereby but shall remain in full force and effect.

Section 12. Term; Termination.

A. This Agreement shall be effective upon its execution and shall continue in full force and effect for an initial term of 20 years, unless this Agreement is (i) amended by mutual consent of the Parties, (ii) modified as a result of a Claim (see Section 11.B above), or (iii) is found by a court of competent jurisdiction to be void. Except as provided in Section 12.B below, this Agreement shall automatically renew for additional 20 year periods at the conclusion of each previous term unless the Parties mutually agree to terminate this Agreement. If the 20 year term is held invalid, the term shall be the maximum then permitted by applicable law as of the date of this Agreement, or such longer term as may be subsequently allowed.

B. If any Party chooses not to continue to be a party to this Agreement beyond the term of the current term, that Party may opt out of the renewal on written notice to the other Parties given not more than nine (9) months nor less than six (6) months in advance of expiration of the then-current term. In the event that the then-current term of this Agreement is renewed by some, but not all of, the Parties, then it shall continue in force only as to all of the remaining Parties.

Section 13. Non-Waiver; Amendment

A. The failure of any Party to enforce against any other Party any term, covenant or condition of this Agreement shall not be deemed a waiver thereof, nor void or affect the right of the aggrieved party to enforce the same term, covenant, or condition on the occasion of any subsequent breach or default.

B. Neither this Agreement nor the Plan may be modified or amended except by

written instrument executed by each of the Parties hereto.

This Agreement is modified and amended by the "Route 173 Corridor Intergovernmental Agreement" attached hereto.

Section 14. Execution in Counterparts. This Agreement may be executed in multiple identical counterparts, and all of such counterparts shall, taken together, constitute the Agreement.

IN WITNESS WHEREOF, the Parties have caused these presents to be executed by their duly authorized corporate officers and have caused their corporate seals to be hereunto affixed all as of the day and year first above written.

VILLAGE OF OLD MILL CREEK

VILLAGE OF WADSWORTH

By: [Signature]
Its Village President

By: [Signature]
Its Village President

Attest: Jennifer D. Andrew
Deputy Village Clerk

Attest: Christine E. Stuckler
Village Clerk

COUNTY OF LAKE

By: [Signature]
Its Chairman

Attest: Willard R. Schaefer
County Clerk

EXHIBIT A

ROUTE 173 INTERCHANGE LAND USE AND DEVELOPMENT STANDARDS AND LAND USE CONCEPT PLANS

Introduction

The Route 173 Corridor Council developed this document to form the basis for agreement between Lake County and the Villages of Old Mill Creek and Wadsworth regarding land uses and development standards for the Rt. 173 I-94 interchange area, as shown on the attached Concept Plans. The Concept Plans and development standards are intended to be implemented as a component of future Lake County sewer extension agreement(s) for the subject area.

The land uses and development standards provided in this document build on the recommendations contained in the *Economic Development Feasibility Study for I-94/Rt. 173 Interchange* report, which was prepared for the Rt. 173 Corridor Council by Economics Research Associations (ERA). The attached Concept Plans are intended to accommodate an Office/Warehouse/Assembly element, as previously proposed by a major land owner within the subject area. The proposed development standards rely heavily on design guidelines developed by the Route 12 Corridor Planning Council with the assistance of the Lake County Department of Planning, Building, and Development. The proposed development standards also draw upon design concepts prepared for the Village of Vernon Hills by Rolf C. Campbell & Associates, Inc.

The proposed land uses and development standards will be implemented through an intergovernmental agreement. Property owners seeking to development within the subject area will be required to submit Planned Unit Development applications. It will be the responsibility of the permitting jurisdiction to ensure that the proposed development complies with these Land Use and Development standards. Only after the development is approved consistent with these standards, will the subject property be considered for annexation into the sewer service area utilizing existing County procedures.

If it is determined that the high development standards render it uneconomical to develop the property at this time, the participating jurisdictions will need to decide if they wish to relax the standards in order to facilitate immediate development or if they wish to maintain the standards and wait until such time in the future as the market will support this desired quality of development.

This document is divided into three main sections:

1. Use and Development Standards
2. Building and Site Design Standards
3. Concept Plans

Uses and Development Standards

These Land Use And Development Standards are intended to accommodate the following allowed uses:

- Office/Research
- Office/Light Assembly
- Retail/Service

For each of these allowed uses, development standards, including maximum Floor Area Ratios (FAR), building heights, and Impervious Surface Ratios (ISR), are provided below.

1. Office/Research Development Standards

- a. Permitted Uses: office, office park, and research park developments, financial institutions
- b. Auxiliary Uses: retail or service uses that serve only the principle use
- c. Prohibited Uses: heavy manufacturing¹, assembly, and warehouse uses
- d. Max Floor Area: 40% per individual lot; 30% for the development
- e. Max ISR: 60% per individual lot; 45% for the development
- f. Max building height: 50 ft
- g. Min lot size: 2 acres
- h. Min lot width 220 ft
- i. Building Setbacks
 - i. Front/Corner – 50 ft (note: no parking in front yard setback)
 - ii. Interior Side – 30 ft
 - iii. Rear – 30 ft

2. Office/Light Assembly Development Standards

- a. Permitted Uses: office, office park, and research park developments; light assembly² uses
- b. Auxiliary Uses: warehouse, whole sale, distribution, and retail or service uses that serve only the principle use; auxiliary uses shall occupy no more than 50% of the gross building area.
- c. Prohibited Uses: heavy manufacturing and motor freight terminals
- d. Max Floor Area Ratio (FAR): 40%
- e. Max ISR: 60%
- f. Max building height: 50 ft
- g. Min lot size: 2 acres
- h. Min lot width 220 ft

¹ 'Heavy manufacturing' refers to basic processing and manufacturing of materials or products predominately from raw material with the potential for significant external effects to the community and environment.

² 'Light assembly' refers to processing, compounding, assembling, and packaging finished or semi-finished products in a manner which produces little external effects to the community or the environment.

- i. Building Setbacks
 - i. Front/Corner – 35 ft (note: no parking in front yard setback)
 - ii. Interior Side – 20 ft
 - iii. Rear – 25 ft
- j. Minimum Construction Value: \$75 per square foot

3. Retail/Services Development Standards

- a. Permitted Uses: All types of retail sales and service uses that serve the public
- b. Non-sales tax generating uses (office, financial, clinic, government) are limited to 25% of the ground floor area; non-sales tax generating office-service uses may occupy 100% of the upper floors
- c. Max Floor Area Ratio (FAR): 40%
- d. Max ISR: 70%
- e. Max building height: 35 ft
- f. Min lot size: 20,000 sf
- g. Min lot width 100 ft
- h. Building Setbacks
 - i. Front/Corner – 50 ft
 - ii. Interior Side – 12 ft
 - iii. Rear – 12 ft

Building and Site Design Standards

1. Natural Resources and Open space

Each development should protect and enhance existing natural resource areas and provide open space areas in keeping with the semi-rural nature of the surrounding communities. In addition to natural open space areas, it may also be appropriate to provide formal open space, such as a village square or building courtyards, as a focal point of the development. All open space areas should featuring amenities such as benches and walkways. Buildings should be oriented to take advantage of open space views and access. The protection of natural resources and provision of open space should be addressed early in the Planned Unit Development design process.



Encouraged: Formal (pictured) and informal open space

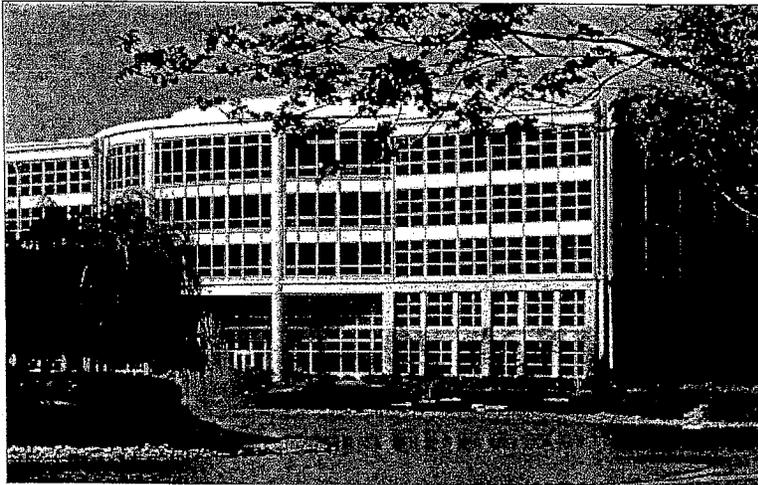
2. Stormwater Management

A unified stormwater management system should be designed for the entire development area. To the greatest extent possible, stormwater conveyance and storage should utilize the naturally occurring drainage patterns and wetlands. Additional storage capacity should be provided through wet-bottom detention basins. Detention basins with native wetland vegetation are encouraged; basins with hard, man-made edges are discouraged. Dry-bottom detention basins should also be avoided. Stormwater management should be addressed early in the Planned Unit Development design process and not as an afterthought.



Discouraged: Square, man-made shorelines

The stormwater management system should be integrated into the open space and pedestrian circulation plan. Incorporation of fountains to create water features are encouraged. Buildings should be oriented to take advantage of views of attractive water features and wetlands.



Encouraged: Building oriented towards water feature.



Encouraged: Natural contours and pedestrian circulation

3. Circulation

Automobile Circulation

The northwest quadrant (phase 1) will have a new access points to Rt 173, roughly centered between the existing Mill Creek Road and the tollway. The northeast quadrant will have one primary access point onto Mill Creek Road and a secondary access point primarily intended to serve truck traffic to the Office/Warehouse/Assembly uses.

The southeast quadrant (phase 1) will have a new access points onto Rt 173 directly parallel to the northwest quadrant access point. The southwest quadrant will also have one primary access point onto Mill Creek Road. A secondary access point for truck traffic may also be permitted.

Roadways should be designed to allow circulation between various buildings and uses within the entire subject area without exiting onto Rt. 173. Roadways should be designed to minimize conflicts between automobile and truck traffic.

The primary access roads shall be designed as boulevards for a distance of at least 200 yards from the intersections with Rt. 173. The central median should be planted with a variety of deciduous and evergreen plantings to ensure year-round foliage. Use of annuals is encouraged to ensure maximum color during Spring, Summer, and Fall.

A well-designed entrance monument is encouraged for both the north and south primary access roads. The entrance monuments should be designed to complement the building architecture and be consistent with the signage and landscaping requirements established in this document.

Pedestrian Circulation

Walking within and between the various uses contained within the overall development plan should be encouraged through the provision of sidewalks along internal roadways and/or foot paths through the open space element. The sidewalk and foot path network should be designed to provide for future possible connections to adjacent developments.

4. Building Design

The architectural guidelines for buildings are intended to require development that is compatible in scale and appearance with the semi-rural, open space character of the Rt. 173 Interchange area.

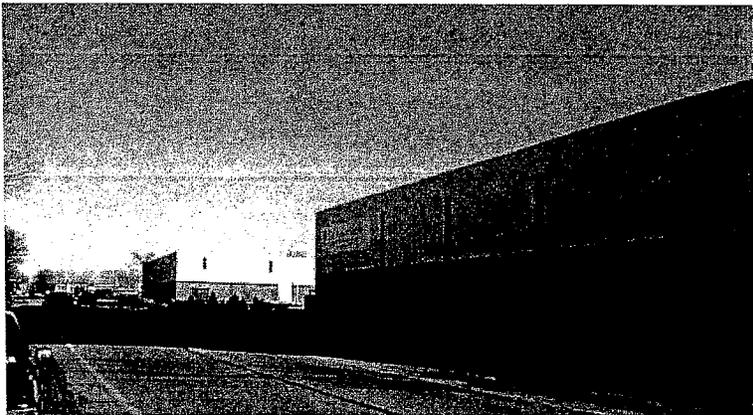
A uniform design pallet of building materials, colors, and architectural design should be applied throughout the entire subject area. Building elements and other uses, such as vehicle parking, that are incompatible with the surrounding character, must be strictly screened from view from adjacent properties and roadways, including I-94. These guidelines are not all-inclusive; it may be necessary to address additional design elements during the review of individual project proposals.

Building Façades

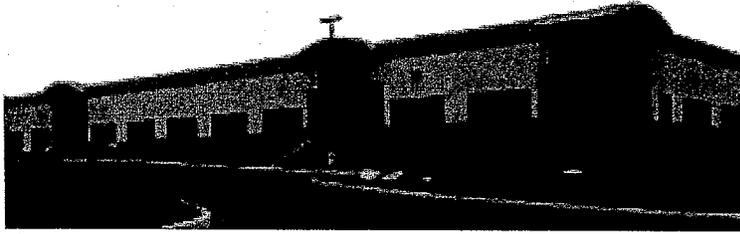
All building façades that are visible from adjacent major roadways should be designed to be aesthetically pleasing. This includes the side and rear façades of buildings that are visible from Rt. 173, I-94, and US 41. Aesthetically pleasing design can be accomplished by employing the same design elements to the side and rear façades that are often only given to front façades. Visible building façades should have a defined base, middle, and top.

Building Massing

Big box architecture, whether on retail or Office/Warehouse/Assembly buildings, is discouraged. Large wall expanses (whether long or tall) should be eliminated through vertical and horizontal articulation (changes so the wall is not a straight horizontal or vertical line) and the use of architectural projections, such as porticos, and recesses. Large wall expanses can also be broken through the use of pilasters, columns, canopies, and windows. Changes in building heights and rooflines can also be utilized to soften the visual impacts of long building walls. Changes in façade materials and colors can improve the appearance of large buildings, but, alone these changes are not sufficient to eliminate the visual impacts of large wall expanses.



Discouraged: Long, blank building walls visible from adjacent major roadway



Preferred: Building wall divided by entranceways

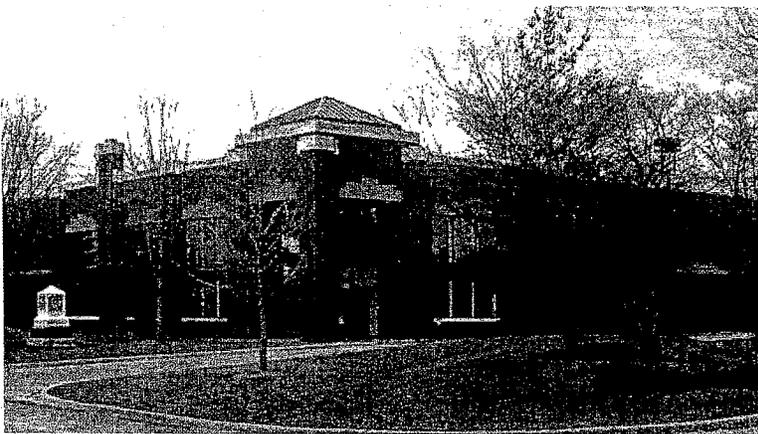
Building Height

Building heights should gradually transition from low buildings to tall buildings. Where necessary, this transition can occur within a single building by designing the building with a larger, single-story base and a taller (multi-story or high-ceilinged warehouse) center.

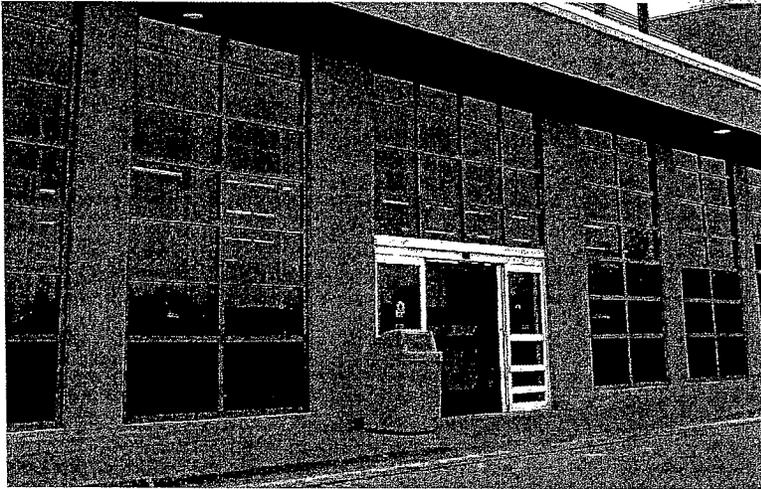
Building Entrances and Windows

Building entrances should allow for easy access from parking areas and public open space. Primary building entrances should be easily identifiable through the use of design elements such as canopies, porticos, recesses, or archways. Buildings doors and windows should be pedestrian scaled.

In addition to providing natural lighting for occupants, windows should be utilized to soften building appearances, displaying merchandise, and inviting customers into buildings. Windows should be appropriately sized, arranged, and designed to enhance the overall appearance of the building. Multi-paned windows, windows with a vertical orientation, and windows with a well defined frame or sill are preferred.



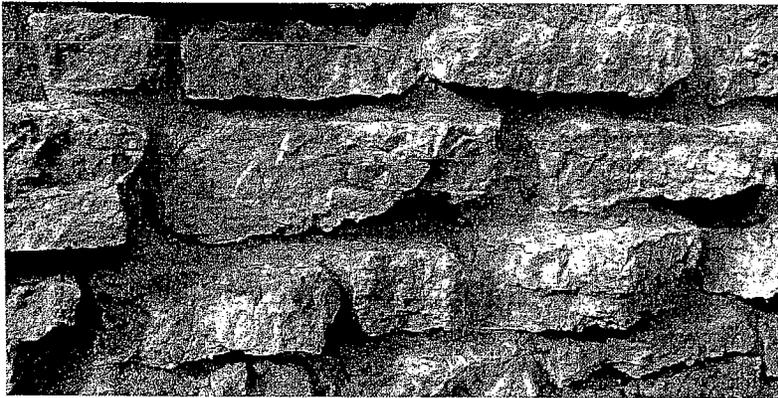
Encouraged: Recessed entranceways



Discouraged: Featureless, window-dominated entranceway

Façade Materials and Colors

In order to complement the semi-rural, open space character of the Rt. 173 interchange area, the use of natural building materials and colors is encouraged. Desirable building materials include brick, terra cotta, and natural stone, such as limestone and river stone. The exclusive use of synthetic materials, such as EIFS/Drivit, and pre-cast concrete is discouraged.



Encouraged: Natural stone façade

Building colors should be natural, earth tones. Dark tones should be utilized at building base and lighter tones for upper levels. The color selection for architectural elements such as roofs, awnings, cornices, eaves, and sills should complement the main building color.

Roof Styles and Materials

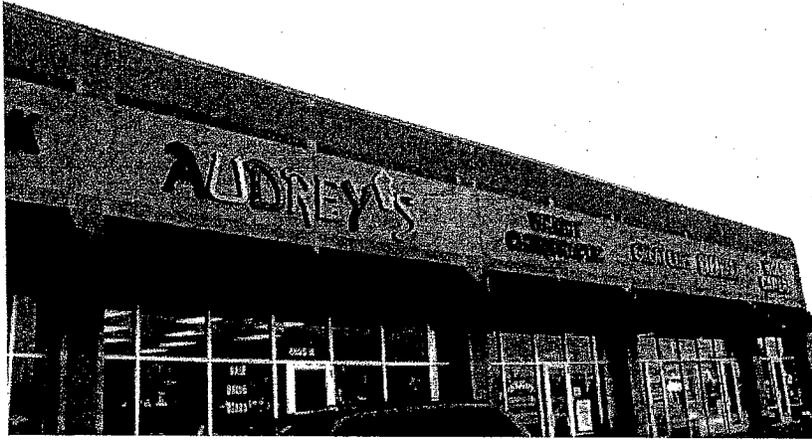
Roof styles and variations can add visual interest to all buildings, but should remain consistent with the overall building design. Buildings should be designed with a fascia and cornices that provide a transition between the wall and roof. Flat rooflines are discouraged. Arched and pitched roofs and roof features such as dormers and cupolas are encouraged.



Encouraged: Pitched roof with appropriate fascia and cornice



Discouraged: Parapet conveys a two-dimensional appearance



Discouraged: Flat roof and no significant fascia or cornice

Mechanical and service area screening

All roof top mechanical equipment must be visually screened from sight from all public access areas and adjacent properties and roadways. Ground level mechanical equipment, trash collection, and loading areas must be appropriately screened from view from all public access areas and adjacent properties and roadways.

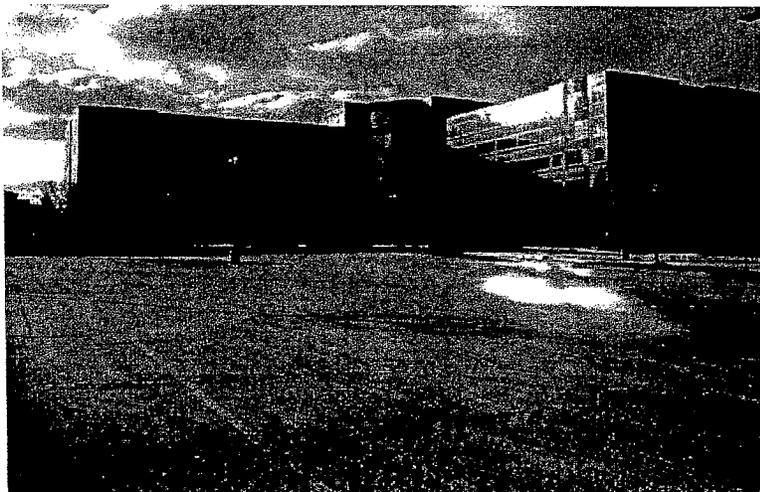
5. Lighting standards

Lighting should be provided to ensure the safety and security of building occupants and customers. A uniform lighting plan, including buildings and pole lights, should be designed for the entire subject area (phase 1). Lighting should be designed and scaled to create an attractive, friendly pedestrian environment. Pathways should be lit with low bollard lights. Lighting intensity should be differentiated based on the location and uses. All light fixtures must be shielded. All lighting must be designed to minimize glare on adjacent properties.

6. Parking

Parking spaces must be provided for each building in accordance with the off-street parking standards established in the Lake County Unified Development Ordinances as now in effect or modified in the future. Parking lots should be located to the side and rear of buildings, when possible. Parking is not allowed in the required front/corner building setbacks. Shared parking is encouraged. Parking lots should provide well-defined walkways that minimize pedestrian-vehicle conflicts.

Parking should be clustered in sections separated by building and landscape islands. Landscape islands should be sufficient in area to accommodate a variety of plant species. Parking lot landscaping that balances deciduous and evergreen plantings to ensure year-round foliage is encouraged. Parking lots must also have adequate perimeter landscaping to screen them from adjacent properties and roadways.



Discouraged: Large, unbroken parking areas

7. Outdoor Storage

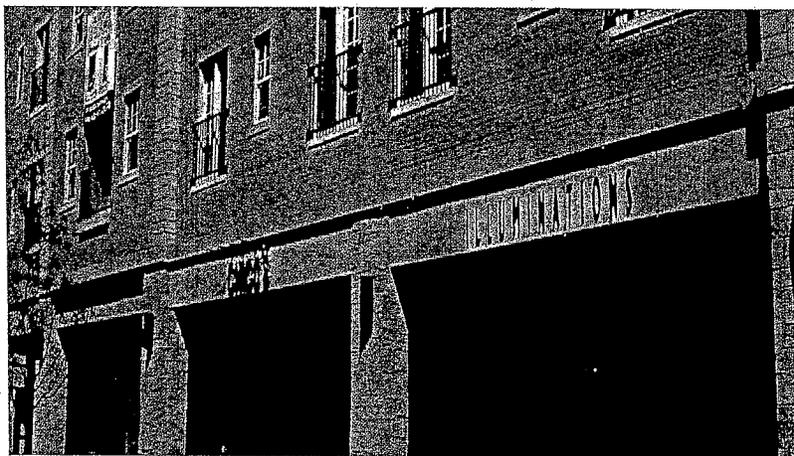
Outdoor storage is discouraged. All storage of materials, equipment, and commercial vehicles should occur within approved structures designed for that purpose.

8. Signage Standards

Signage shall meet all standards provided in the Lake County Unified Development Ordinance, as now in effect or amended in the future.

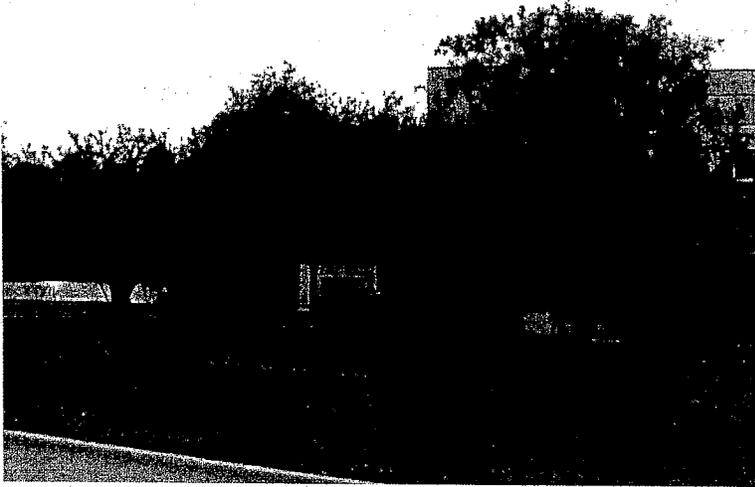
Sign Types

Each building tenant is allowed one wall sign. Corner tenants may have a sign on each façade facing the street. The sign should be mounted on the wall or on an awning or other entrance feature. Wall signs may not extend above the roof line (eave).



Preferred: Consistent wall signage on multi-tenant buildings

Free-standing signs must be of a monument type. Pole signs are Discouraged. Freestanding signs should emphasize horizontal rather than vertical massing. The surface of monument signs should contain visible indentations or see-through spaces of appropriate dimensions at appropriate intervals to avoid overt massing, where applicable. Landscaping is required around the base of freestanding signs.



Preferred: Monument sign with landscaping

Signage Composition

Softer, subtler alternatives to prominent corporate logos are preferred. For multi-tenant buildings and developments, consistent lettering, colors, and sign designs should be used on all wall signs and monument signs.



Preferred: Softer alternative to typical corporate sign

The sign text should consist of no more than 2 fonts or sizes. Italicized, bold and plain text should not be mixed. The use of images, pictures and logos should be minimized but, if used, shall be simplified in appearance and integrated into the site's overall architectural and color schemes. Solid lettering is preferred over highlighted or accented lettering.



Discouraged: Highlighted and accented lettering

Signage Colors

The sign and any background should together consist of no more than 2 colors or shades of the same color. The signage color scheme should match or complement the color scheme of the building. Primary, white and "day-glo" colors should be avoided.



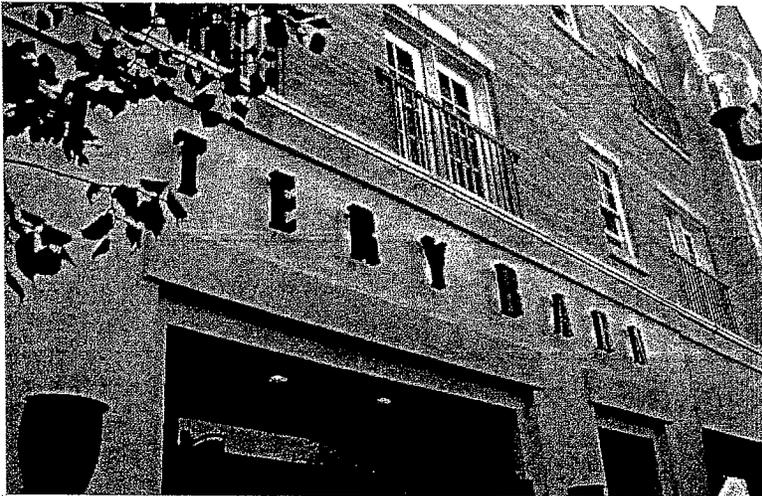
Preferred: Mounted sign letters consisting of only one color

Signage Materials

Polished, glossy, shiny, or reflective sign surfaces are discouraged. Matte, natural, brushed, patina-like or burnished surfaces are preferred. Plastic or glass surfaces are discouraged. Wood, stone, brick, masonry or metal materials are preferred.

Signage Lighting

Natural (soft halogen or incandescent) lighting is preferred. Over-bright or fluorescent lighting should be avoided. Internal illumination and protruding overhead lights or lamps should be avoided. Lighting devices should be hidden or integrated into architectural features or landscaping. Lighting should be focused and only so bright as to effectively illuminate the sign surface. For mounted letters, back-lighting is preferred.



Preferred: Back-lighting softly illuminates mounted letters

For freestanding signs, ground-based external lighting is preferred, subject to the above guidelines. Ground-based light sources should be concealed within landscaping.

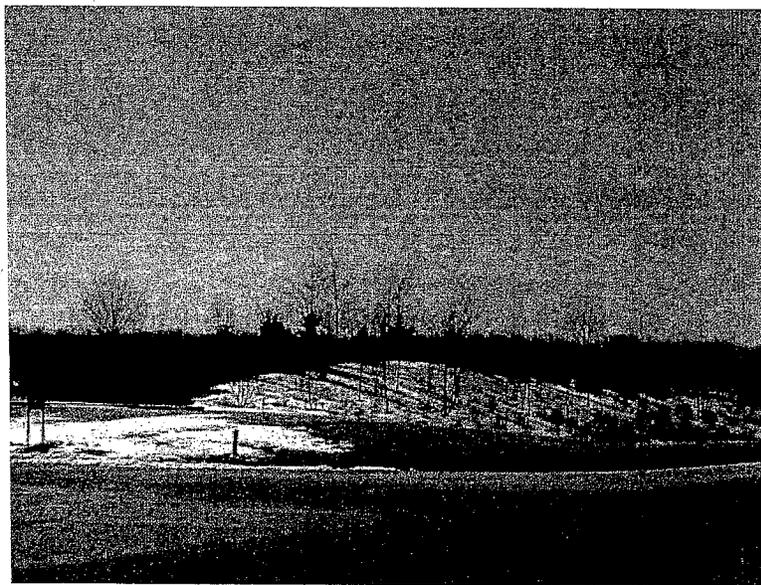
9. Landscaping and Screening

Landscaping and screening shall meet all standards provided in the Lake County Unified Development Ordinance, as now in effect or amended in the future. The guidelines presented below represent additional requirements. The guidelines are not all-inclusive; future discussions may elicit additional requirements for landscaping based on new concerns or changing conditions.

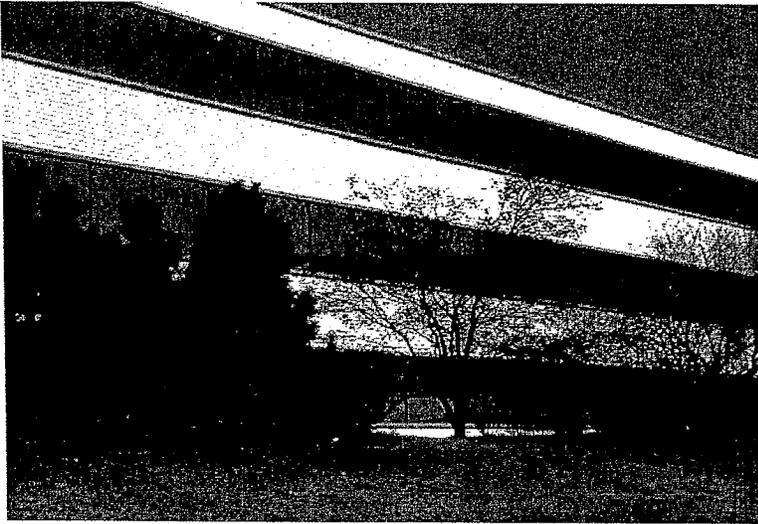
All development shall contain adequate exterior buffer yards that are bermed and landscaped so as to preclude views of buildings, loading areas, truck parking lots, and other undesirable views from adjacent uses, properties, and roadways. For screening purposes, fences may be used in conjunction with berms and landscaping.

Desirable views of office and retail buildings should be preserved from adjacent roadways and properties with compatible uses. Partial views of well-designed Office/Warehouse/Assembly building front façades as well as side and rear façades that achieve aesthetically pleasing 360-degree design, may be permissible from adjacent roadways and properties with compatible uses.

Loading docks and truck parking areas must be screened from view from all public (customer) access areas, including public access areas on the same property or development. In order to minimize undesirable views, locating loading docks and truck parking area back-to-back between adjacent Office/Warehouse/Assembly buildings is encouraged.



Preferred: Large building setback and landscaped berm

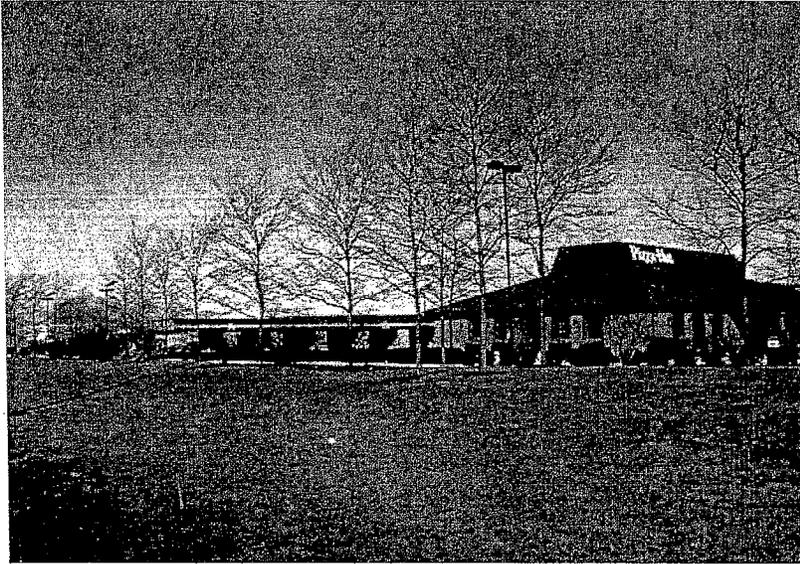


Discouraged: Inadequate building setback and landscaping

The view of parking lots should be partially obscured or softened through landscaping, staggered landscaped berms, or preserved natural vegetation. Extensive area of mowed or manicured turf grass should be avoided.



Preferred: Landscaped berm reduces visibility of parked cars



Discouraged: Wide, trimmed grass strip

Existing woodlands should be preserved and enhanced. Trees should be plant in random clusters, rather than straight rows. Like-species should be grouped only to maintain continuity. Formal landscaping should be limited to small areas. Landscape areas should incorporate a complementary mix of deciduous and evergreen species, while emphasizing deciduous species.



Preferred: Deciduous/Evergreen mix, with deciduous predominating

Cluster varieties of species sizes (canopies interspersed with understories, bushes and groundcover). Emphasize hardy native species (limit predominance of non-native or ornamental species). Minimize the use of formal hedges. Incorporate groundcover and/or bushes into landscaping, while limiting the predominance of groundcover and/or bushes.



Discouraged: Predominance of bushes, particularly if only one species

Landscaping should maximize seasonal colors by including perennial flowers and opportunities for planning annual flowers that bloom in Spring, Summer, and Fall.

Earthen berms should undulate naturally and have varying heights and setbacks. Berms should be landscaped with a variety of plant species, as otherwise required in these landscaping guidelines. Extensive areas of turf grass on berms should be avoided.

At intersections, provide soft massings of landscaping to complement signage and to provide a focal point, while not impairing visibility of buildings nor impairing traffic safety. Bike and pedestrian pathways should be integrated into landscaping to soften visibility, separate from vehicle traffic, and promote safety.

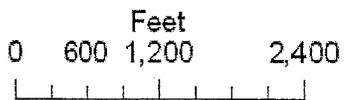
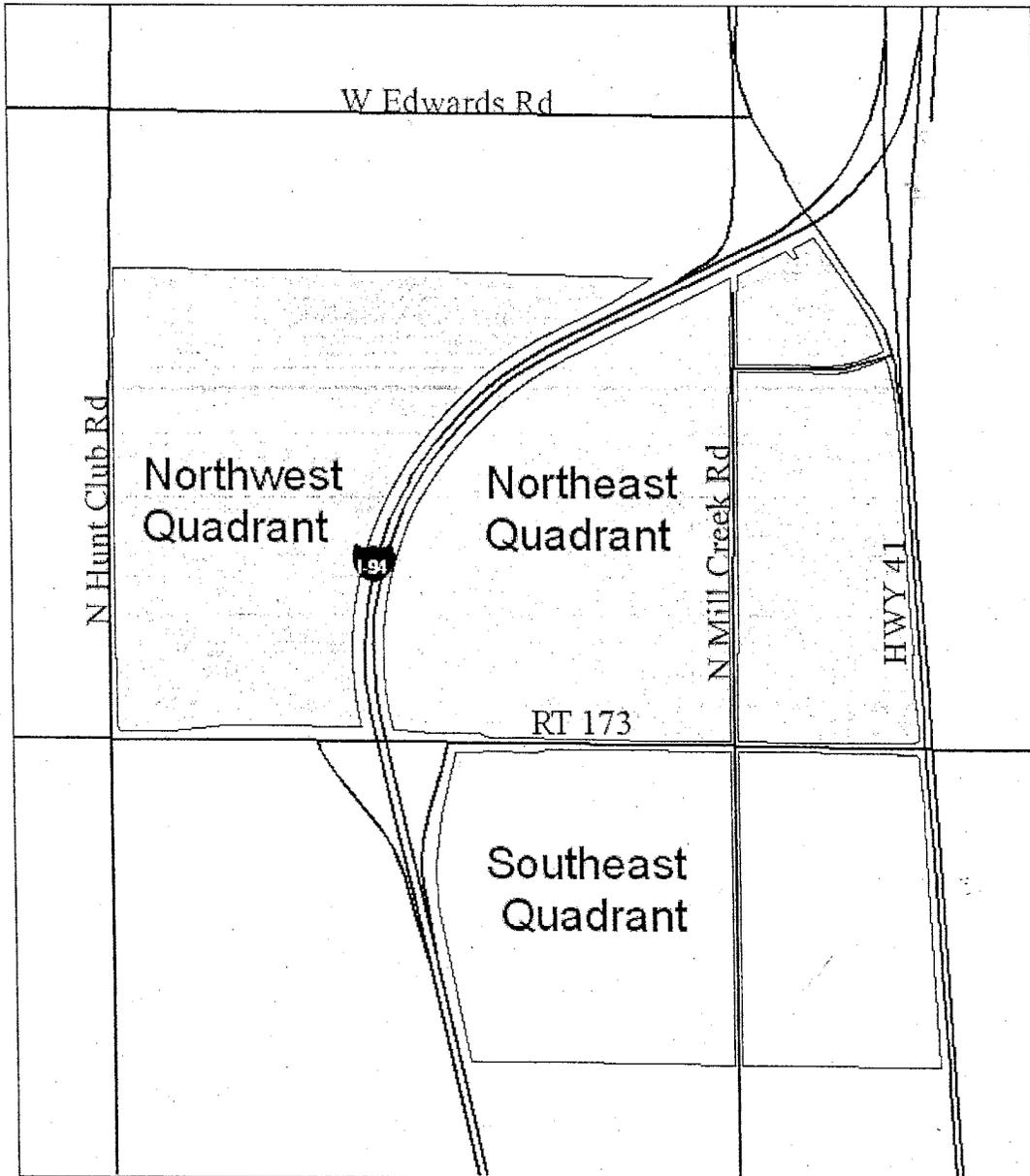
10. Supplemental Performance Standards – Noise

All on-site equipment shall operate in accordance with the Illinois Environmental Protection Agency's noise regulations (Title 35, Subtitle H, Chapter 1 of the Illinois Administrative Code) as now in effect or amended in the future.

Concept Plans

Draft Concept Plans are included for the northeast, southeast, and northwest quadrants. The concept plans are intended for illustrative purposes. The most important features of the concept plans are the preservation of parcels immediately adjacent to the Rt. 173 and I-94 interchange for high-quality Office/Research development and the preservation of land along the Rt. 173 and US 41 frontages for Retail/Services Development. The interior portions of the planning area are designated for Office/Warehouse/Light Assembly uses.

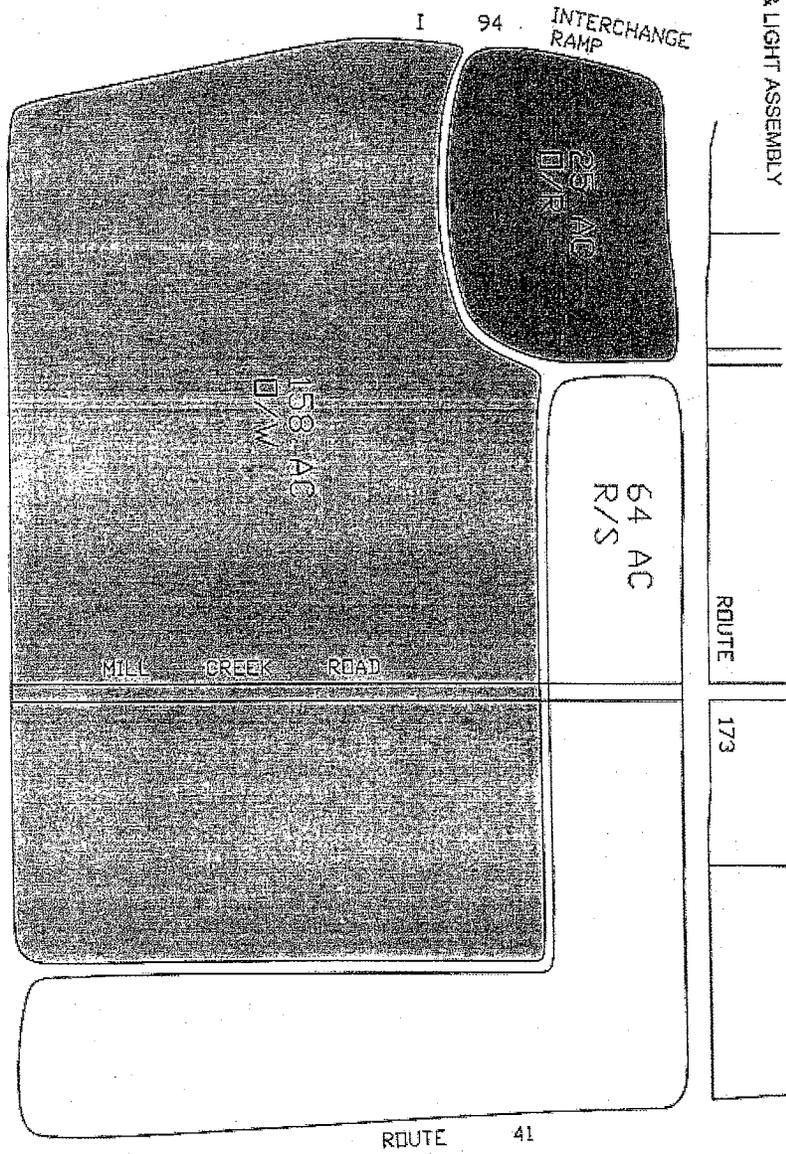
Rt. 173 Interchange Planning Area Concept Plans



SOUTHEAST QUADRANT
LAND USE CONCEPT PLAN

LEGEND

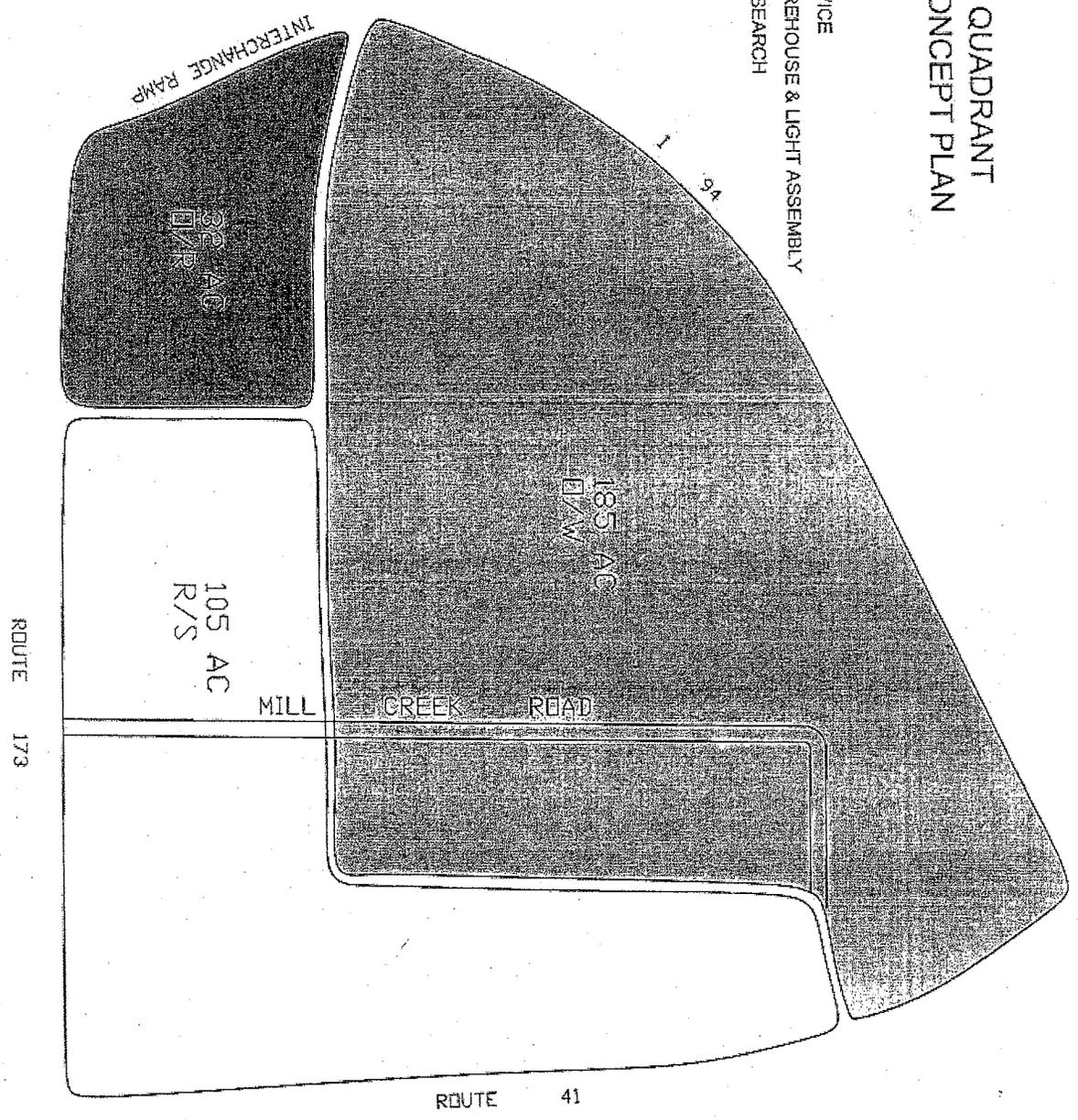
- R/S RETAIL / SERVICE
- OWM OFFICE, WAREHOUSE & LIGHT ASSEMBLY
- O/R OFFICE & RESEARCH



NORTHEAST QUADRANT
 LAND USE CONCEPT PLAN

LEGEND

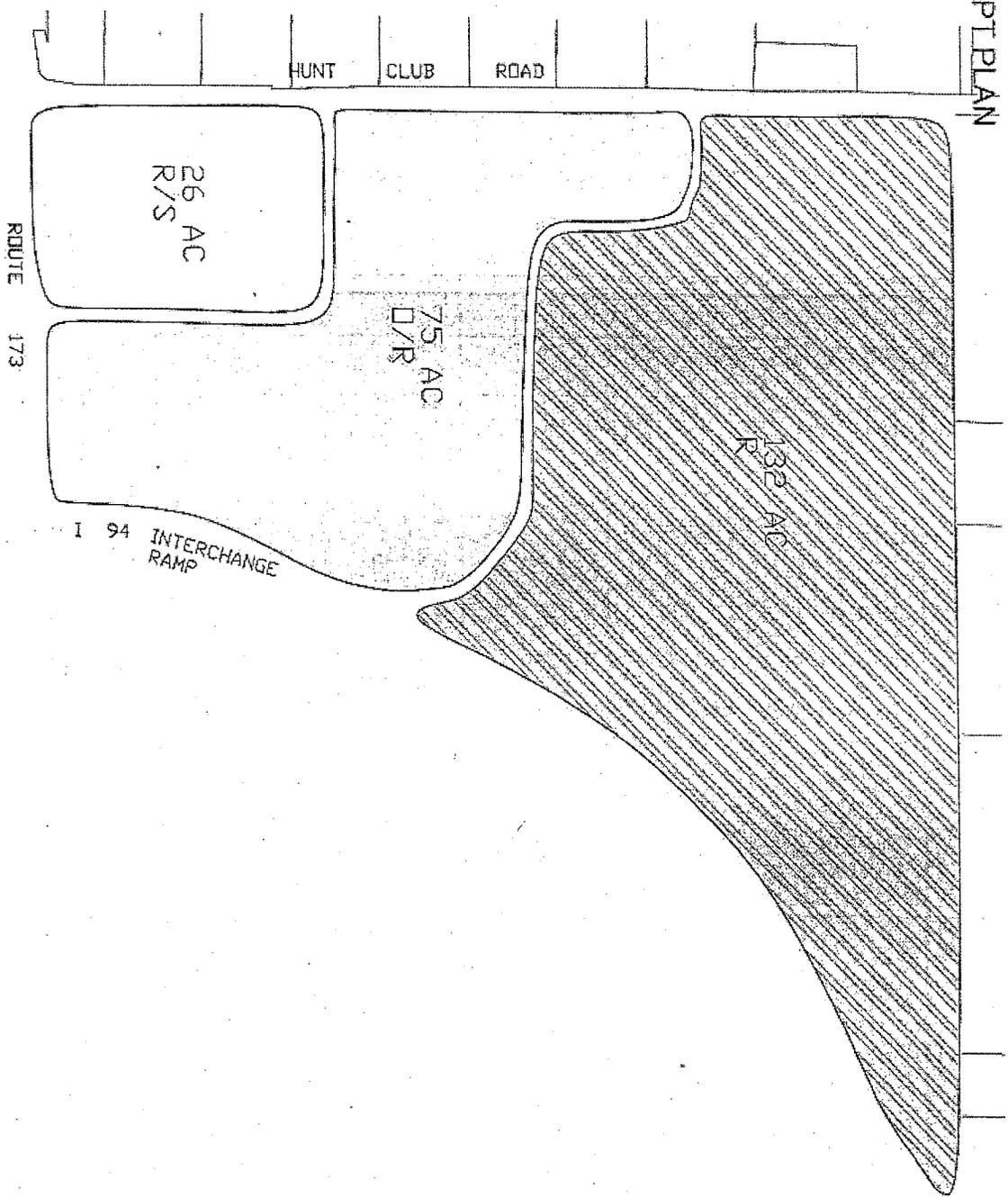
- R/S RETAIL/SERVICE
- OW OFFICE, WAREHOUSE & LIGHT ASSEMBLY
- O/R OFFICE & RESEARCH



NORTHWEST QUADRANT LAND USE CONCEPT PLAN

LEGEND

- R/S RETAIL / SERVICE
- O/R OFFICE & RESEARCH
- R RESIDENTIAL



The table below shows the overall proposed mix of land use by quadrant. Of the 800 acres in the planning area, 343 acres or 43% of the land is designated for Office/Warehouse/Light Assembly. Only 16% is designated for Office/Research and 24% is designated for Retail/Service. Another 16% of planning area is identified for Residential use. The residential use is restricted to the northwest quadrant, away from the interchange and major arterial streets.

Use	Land Use Acres				
	Northeast Quadrant	Southeast Quadrant	Northwest Quadrant	Total Acres	Percent
Office/Research	32	25	75	132	16%
Retail/Service	105	64	26	195	24%
Warehouse/Office/Light Assembly	185	158	0	343	43%
Residential	0	0	132	132	16%
Total	322	247	233	802	100%

Property owners may submit Planned Unit Development applications that vary from the concept plans as long as they are consistent with the intent of the Concept Plans and Use and Development Standards.

Conclusion

As stated in the introduction, this document is intended to form the basis for agreement between Lake County and the Villages of Old Mill Creek and Wadsworth regarding land uses and development standards for property adjacent to Rt. 173, east of the I-94 interchange. The Land Use and Development Standards will be implemented in a variety of ways, including as a component of future Lake County sewer extension agreement(s) for the subject area.

EXHIBIT B
LEGAL DESCRIPTION OF THE SUBJECT AREA

THE SOUTH ½ OF THE SOUTHEAST ¼ OF SECTION 08, TOWNSHIP 46 NORTH, RANGE 11 EAST; AND THE SOUTH ½ OF THE SOUTHWEST ¼ OF SECTION 09, TOWNSHIP 46 NORTH, RANGE 11 EAST; AND THAT PART OF THE WEST ½ OF THE SOUTHEAST ¼ OF SECTION 09, TOWNSHIP 46 NORTH, RANGE 11 EAST LYING SOUTH AND EAST OF THE I-94 RIGHT-OF-WAY AND SOUTH AND WEST OF THE SKOKIE HIGHWAY RIGHT-OF-WAY; AND THE NORTHWEST ¼ OF SECTION 16, TOWNSHIP 46 NORTH, RANGE 11 EAST; AND THAT PART OF THE SOUTHWEST ¼ OF SECTION 16, TOWNSHIP 46 NORTH, RANGE 11 EAST LYING EAST OF THE I-94 RIGHT-OF-WAY; AND THAT PART OF THE NORTHEAST ¼ OF SECTION 16, TOWNSHIP 46 NORTH, RANGE 11 EAST LYING WEST OF THE RT. 41 RIGHT-OF-WAY; AND THAT PART OF THE SOUTHEAST ¼ OF SECTION 16, TOWNSHIP 46 NORTH, RANGE 11 EAST LYING WEST OF THE RT. 41 RIGHT-OF-WAY; AND THE NORTHEAST ¼ OF SECTION 17, TOWNSHIP 46 NORTH, RANGE 11 EAST.

EXHIBIT C
ORDINANCE CREATING THE
NORTHEAST LAKE FPA SPECIAL SERVICE AREA, DATED DECEMBER 2, 1994

4:2-23
(Pages 1 - 5 plus Attachments)

STATE OF ILLINOIS }
 } SS
COUNTY OF LAKE }

AN ORDINANCE PROPOSING THE NORTHEAST LAKE FPA SPECIAL SERVICE
AREA AND PROVIDING FOR A PUBLIC HEARING AND
OTHER PROCEDURES IN CONNECTION THEREWITH

WHEREAS, Section 7(6) of Article VII of the Illinois Constitution of 1970 and the Special Service Area Tax Law, 35 ILCS 200/27-5 et seq. (the "Act"), authorize the County to levy a tax to provide for special services within contiguous areas of the County; and

WHEREAS, a special service area ("SSA") may contain areas both within and without the corporate limits of municipalities located in Lake County, provided that each municipality having jurisdiction over any incorporated territory in an SSA consents to the inclusion of such territory, 35 ILCS 200/27-5; and

WHEREAS, the provision of sanitary sewage collection and treatment services constitution a "special service" under the Act for which a special tax may be imposed; and

WHEREAS, the County is the designated management agency for the Northeast Lake Facilities Planning Area ("Northeast FPA") pursuant to the Illinois Water Quality Management Plan; and

WHEREAS, in order to establish a sewerage system in the Northeast FPA to provide for the collection and treatment of sanitary sewage, the County proposes to establish the Northeast Lake FPA Special Service Area (the "NEFPA SSA"), which SSA will include unincorporated territory as well as territory within the

Villages of Antioch and Old Mill Creek located within the Northeast FPA; and

WHEREAS, the Northeast FPA sewerage system would replace the County's existing Grandwood Park sewage treatment plant; and

WHEREAS, to pay for the sewerage system to serve the NEFPA SSA, the County proposes the establishment of a special tax roll on the acreage within the SSA based on projected new sewage flows from such acreage; and

WHEREAS, the territory within the NEFPA SSA as proposed will benefit specially from the Northeast FPA sewerage system, and the services to be provided by the NEFPA SSA are in addition to service provided by the County in its unincorporated territory as a whole; and

WHEREAS, it is in the best interests of the public to propose the establishment of the NEFPA SSA and to hold a public hearing thereon as hereinafter provided;

NOW, THEREFORE, BE IT ORDAINED by the County Board of Lake County, Illinois that:

SECTION ONE: The foregoing recitals are hereby incorporated into and made a part of this Ordinance.

SECTION TWO: The County Board of Lake County, Illinois, hereby proposes the establishment of the Northeast Lake FPA SSA for the purpose of providing sanitary sewer services within the contiguous territory depicted on the map attached hereto as Exhibit A.

SECTION THREE: A public hearing shall be held by the County Board of Lake County on August 9, 1994 at 9:00 a.m. at the Lake County Board Room, Lake County Building, 10th Floor, in Waukegan, Illinois, to consider the establishment of the NEFPA SSA in Lake County, Illinois, for the territory depicted on Exhibit A. At the hearing there shall be considered a proposal for providing sanitary sewer service within said territory to be financed in part by the levy of annual taxes pursuant to a special tax roll on the territory within such NEFPA SSA in the amounts and/or rates set forth in Exhibit B attached hereto.

SECTION FOUR: Notice of hearing shall be published at least once not less than 15 days prior to the public hearing in the News-Sun, a newspaper of general circulation within the County of Lake. In addition, notice by mailing shall be given by depositing said notice in the United States mails, not less than 10 days prior to the time set for public hearing, addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract, or parcel of land lying within the proposed NEFPA SSA. In the event taxes for the last preceding year were not paid, the notice shall be sent to the person last listed on the tax rolls prior to that year as the owner of said property. The notice shall be in substantially the following form:

NOTICE OF HEARING
COUNTY OF LAKE
NORTHEAST LAKE FPA SPECIAL SERVICE AREA

Notice is hereby given that on August 9, 1994 at 9:00 a.m. at the Lake County Board Room, Lake County

Building, 10th Floor, 18 N. County Street, Waukegan, Illinois, a hearing will be held by the County Board of Lake County, Illinois, to consider the establishment of the Northeast Lake FPA Special Service Area (the "NEFPA SSA") consisting of the following described territory:

[TO BE INSERTED],

which territory is depicted on the accompanying map identified as Exhibit A.

The purpose of the public hearing is to consider establishing the NEFPA SSA to provide special services in the nature of sanitary sewer service in said area.

To assist in the financing of the special services for the NEFPA SSA, the County proposes to levy annual taxes on parcels within the NEFPA SSA in accordance with the special tax roll that is set forth in Exhibit B accompanying this notice. Said tax is to be levied upon all taxable property within the proposed NEFPA SSA, as described, and said tax shall be in addition to any other taxes provided by law. The actual levy amounts for properties in the NEFPA SSA shall be set forth in the ordinance establishing the NEFPA SSA, provided that no levy shall exceed the amounts set forth in the special tax roll accompanying this notice.

All interested persons owning taxable property located within the proposed NEFPA SSA affected by the formation of NEFPA SSA will be given an opportunity to be heard regarding the formation of such area, its boundaries, and the taxes to be levied. Such persons also will be given an opportunity to file objections to the formation of such area, its boundaries, and the taxes to be levied. Those persons wishing to be heard at the hearing should contact the Lake County Administrator's Office, 18 N. County Street, Waukegan, Illinois 60085 (360-6603), to schedule such presentations. Those persons unable to attend the hearing, may file written presentations with the County Clerk, 18 N. County Street, Waukegan, Illinois 60085, by the close of business on August 8, 1994 for entry upon the hearing minutes. The hearing may be adjourned by the Board to another date without further notice other than a motion to be entered upon the minutes of said meeting fixing the time and place of its adjournment.

If a petition signed by at least 51% of the electors residing within the proposed NEFPA SSA and by at least 51% of the owners of record of the land included within

the boundaries of proposed NEFPA SSA is filed with the County Clerk within 60 days following the final adjournment of the public hearing, objecting to the creation of the NEFPA SSA, or to the levy or imposition of a tax for the provision of special services to the area, then no such area may be created and no such tax shall be levied or imposed.

DATED: This ___th day of ___, ___.

Linda Hess
County Clerk
Lake County, Illinois

SECTION FIVE: This ordinance shall be in full force and effect from and after its adoption and approval as provided by law.

ADOPTED this 15TH day of July, 1994 pursuant to roll call vote as follows:

AYES:

NAYS:

Chairman, Lake County Board

ATTEST:

County Clerk

ADOPTED: July 15, 1994

EXHIBIT A

Map of Proposed Northeast
Lake FPA Special Service Area

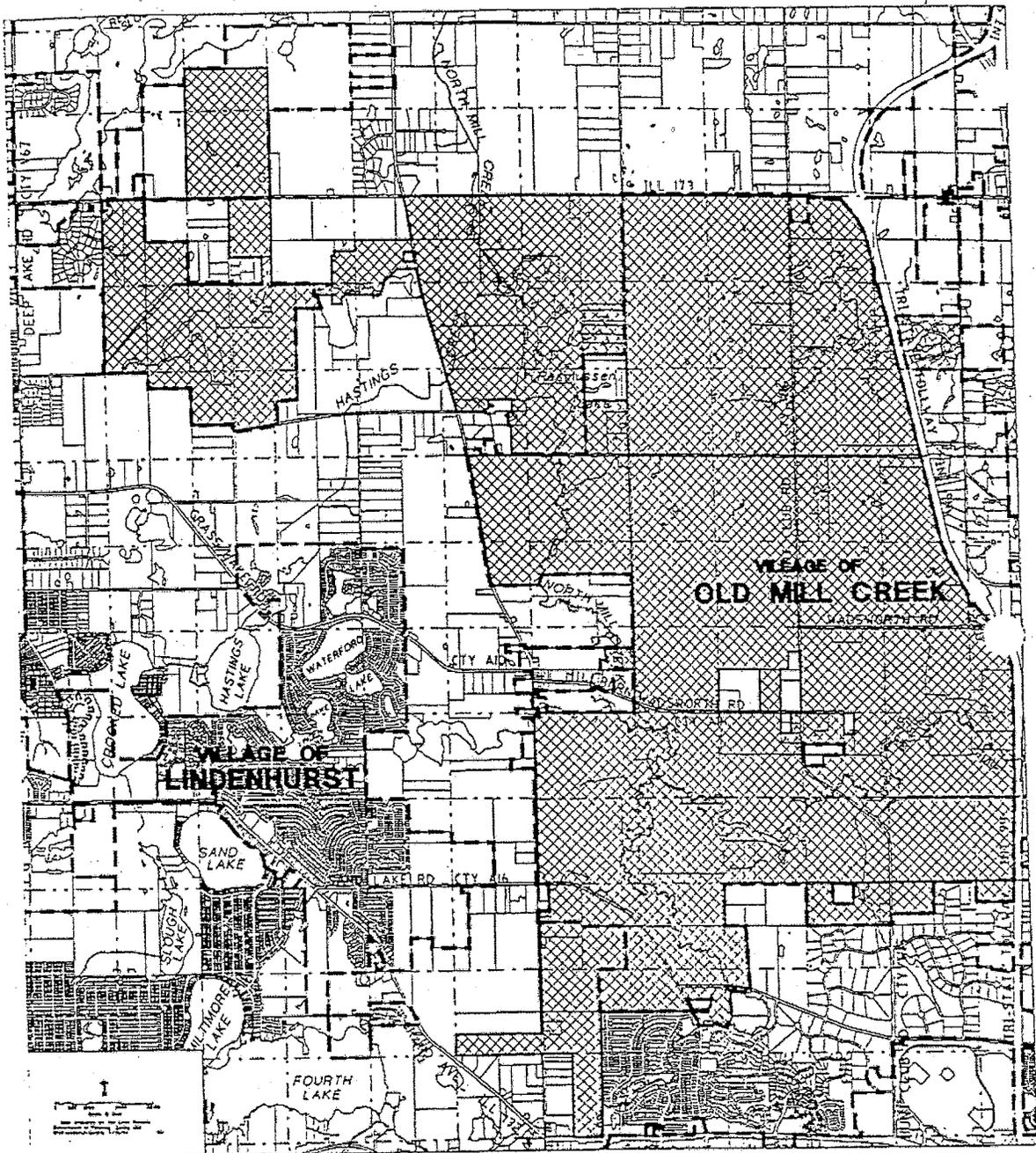


EXHIBIT B

Special Tax Roll for Proposed Northeast
Lake FPA Special Service Area

To assist in the financing of the sanitary sewer services for proposed Northeast Lake FPA Special Service Area (the "NEFPA SSA"), and in lieu of a special service area ad valorem tax on the properties within the NEFPA SSA, the following special tax roll is proposed to establish maximum annual taxes on those tracts consisting of parcels bearing Parcel Index Numbers ("P.I.N.") as follows:

<u>Tract¹</u>	<u>Annual Tax Levied for 20 Year Period²</u>	<u>Additional Annual Tax Levied for 30 Year Period²</u>
(1) Tempel Steel Tract, consisting of the parcels bearing the following P.I.N.s: 02-25-200-002 03-18-400-001 03-17-300-001 03-17-400-002 03-17-400-003 03-17-400-004 03-17-400-006 03-17-400-008 03-19-200-001 03-20-100-001 03-20-100-002 03-20-100-003 03-20-200-001 03-20-300-001 03-20-400-001	\$78,400 [200,000 gal/day]	\$87,675 [1,850,000 gal/day]

¹The amounts set forth for particular tracts may be reduced, by written direction of the Lake County Administrator, upon dedication of sanitary sewer easements across portions of such tracts and/or dedication of the wastewater treatment plant site for the SSA. The reductions shall reflect the value of such easements or plant site as determined by the Lake County Administrator.

²The amount of taxes to be levied may be reduced, by written direction of the Lake County Administrator, to reflect prepayments, if any, received from the owner or owners of any tract. The amount of any reduction shall be calculated based on the future annual values of any such prepayment based on an interest rate of 6.75% for the 20 year assessment and interest rate of 7.25% for the 30 year assessment.

03-20-400-002
03-21-300-001
03-21-300-005
03-30-100-001
03-30-100-002
03-30-300-001
03-30-200-001
03-30-400-001
03-29-200-001
03-29-200-002
03-29-200-003
03-28-100-001
03-28-100-004
03-28-300-001
03-28-300-003
03-28-400-004
03-31-300-003
03-31-400-001
03-31-100-003
03-31-200-002
03-31-200-003
03-31-200-004
03-32-100-001
03-32-100-004
03-32-300-001
03-32-300-002
03-32-300-004
03-32-300-005
03-32-300-007
03-32-300-008
03-33-400-004
07-06-200-005
07-06-200-001
07-05-100-001
07-05-100-003
07-05-100-004
03-21-100-001
03-21-100-007
03-21-100-013

(2) Tempel Smith Tract,
consisting of the
parcels bearing the
following P.I.N.s:

03-32-200-001
03-32-200-002
03-33-100-001
03-33-200-001
03-33-200-008
03-32-400-003
03-32-400-005
03-32-400-007
03-32-400-008
03-32-400-009
03-32-400-011
03-32-400-012
03-33-300-001
03-33-300-002
03-33-300-003
03-33-400-001
03-33-400-002
03-31-400-002

\$78,400
[200,000 gal/day]

\$102,350
[990,000 gal/day]

07-06-100-003
 07-05-200-002
 07-04-200-001
 07-05-400-002
 07-05-400-006
 07-06-300-014
 07-06-300-012
 07-07-200-010
 07-06-400-003
 07-05-300-005
 07-08-100-005
 07-08-100-012
 07-07-200-009
 07-07-300-001

AMENDMENT

(3) Abbott Laboratories Tract, consisting of the parcels bearing the following P.I.N.s:	\$410,000-	\$126,475-
	(700,000-gal/day)----	(1,350,000-gal/day)
	<u>\$337,000³</u>	<u>\$155,100</u>
	[575,000 gal/day]	[1,475,000 gal/day]
02-13-400-001		
02-13-400-002		
02-13-400-003		
02-13-400-004		
02-13-300-004		
02-24-100-003		
02-24-200-001		
02-24-200-002		
02-24-400-002		
03-18-300-001		
03-18-300-002		
03-18-300-003		
03-18-300-004		
03-19-100-001		
03-19-100-002		
03-19-100-003		
03-19-100-004		
03-19-100-005		
03-19-100-006		
03-19-100-007		
03-19-100-008		
03-19-100-009		
03-19-300-001		
03-19-300-004		
03-19-300-005		
03-19-300-006		
02-24-402-001		
02-24-402-003		
02-24-402-006		
02-24-402-013		
02-24-200-003		

AMENDMENT

³ ~~The tax for this tract includes the balance due on connections to be allowed at the Grandwood Park sewage treatment plant prior to the construction of the NEFPA-SSA sewerage system.~~

³ In recognition of Abbott's prior financial contribution to the County's efforts at developing plans for the NEFPA SSA sewerage system, the amount of taxes to be levied against the Abbott Laboratories Tract shall be reduced by \$84,464.00.

(4)	Deerpath Farms Tract, consisting of the parcels bearing the following P.I.N.s: 07-06-300-003 07-06-300-004 07-06-300-005 07-06-300-006 07-07-100-001	\$46,600 ⁴ [70,000 gal/day]	0
(5)	S&S Petroleum Tract, consisting of the parcels bearing the following P.I.N.s: 02-15-400-002 02-15-400-003 02-22-400-002 02-23-100-001 02-23-100-002 02-23-100-003 02-23-100-004 02-23-200-001 02-23-200-002 02-23-200-005 02-23-300-001 02-23-300-002 02-23-300-003 02-23-400-001 02-22-200-002 02-22-200-003 02-15-400-005	\$238,600 [470,000 gal/day]	0
(6)	Sprenger Tract, consisting of the parcels bearing the following P.I.N.s: 02-11-300-003 02-14-100-001	\$79,600 [160,000 gal/day]	0
(7)	Sherman Tract, consisting of the parcel bearing the following P.I.N.: 07-06-300-013	\$7,597 [20,000 gal/day]	0
(8)	Culver Tract, consisting of the parcels bearing the following P.I.N.s: 07-07-100-003 06-12-200-005	\$45,368 (100,000 gal/day) [80,000 gal/day]	0
(9)	G. Wells Tract, consisting of the parcel bearing the following P.I.N.: 02-14-300-002	\$20,437 [40,000 gal/day]	0

AMENDMENT

⁴The tax for this tract includes the balance due on connections to be allowed at the Grandwood Park sewage treatment plant prior to the construction of the NEFPA SSA sewerage system.

(10)	M. Wells Tract, consisting of part of the parcel bearing the following P.I.N.s: 02-14-300-008	\$2,012 [4,000 gal/day]	0
(11)	White Tract, consisting of the parcel bearing the following P.I.N.s: 02-22-200-004	\$10,058 [20,000 gal/day]	0
(12)	Glick Tract, consisting of the parcels bearing the following P.I.N.s: 02-13-300-003 02-23-200-004 02-24-100-001	\$30,388 [60,000 gal/day]	0
(13)	Doolittle Tract, consisting of the parcel bearing P.I.N. 02-23-200-003	0 ^s [350 gal/day]	0

The special tax roll for the 20-year tax is based on the sewage flows [Average Daily Flow] projected from the listed tracts as set forth above and reflects 100% of the projected proportionate costs of transporting, and approximately 40% of the projected proportionate costs of treating, such flows. The flows so projected will be entitled to treatment by the NEPPA SSA sewerage system upon payment of the then-applicable connection fees, which fees will be discounted by a credit based on the 20-year NEPPA SSA annual tax.

The special tax roll for the 30-year tax is based on additional future sewage flows [Average Daily Flows] projected for certain tracts as set forth above and reflects the proportionate cost of transporting such flows only. The flows so projected will

^sThis tract shall be limited to connections to the sewer system based on the then-current connection fees for similarly situated tracts, except that not more than one connection may be allowed as partial consideration for a sanitary sewer easement across this tract.

be entitled to treatment by the NEFPA SSA sewerage system subject to available capacity and upon payment of the then-applicable connection fees, which fees will be discounted by a credit based on the 30-year NEFPA SSA annual tax.

For each tract on the special tax roll, special taxes will be assessed equally on a per acre basis, unless the County Administrator approves a different method of apportionment of the special taxes within any such tract at the request of such tract's owner. Upon division of any tract or portion thereof, the Lake County Administrator shall further apportion the assessment ratably among the parcels resulting from such division, unless the Lake County Administrator approves another apportionment pursuant to a written application therefor by the owner or owners of such tract or portion thereof; provided, however, that the total amount assessed against such tract shall remain constant. The Lake County Administrator shall periodically certify to the Lake County Clerk the then-current apportionment of the special service area taxes among the parcels within each tract of the NEFPA SSA.

ROUTE 173 CORRIDOR INTERGOVERNMENTAL AGREEMENT

I offer the following agreement as passed by the Village of Wadsworth and the County's Public Works and Transportation and Planning Building and Zoning Committees with clarification and amendments to the following areas:

1. This will be a 20 year agreement with the option to extend it after 20 years. Delete the automatic renewal clause and replace with the following:

“A. This Agreement shall be effective upon its execution and shall continue in full force and effect for a period of 20 years, unless this Agreement is (i) amended by mutual agreement of the Parties (see Section 13 below), (ii) modified as a result of a Claim (see Section 11.B above), or (iii) is found by a court of competent jurisdiction to be void.

B. This Agreement may be renewed or extended at any time through mutual agreement of the Parties. In the event that this Agreement is renewed by some, but not all of, the Parties, then it shall continue in force only as to all of the remaining Parties.”
2. The attached conceptual plan for the NW quadrant will have a combined Retail Service and Office Research area. Either use could be considered for the combined area. See map.
3. Language that further explains the intentions of the Joint Defense provisions. The language in the agreement would be deleted and replaced with the following:

“B. Joint Defense. In the event that a third-party should make a claim or demand or file a suit challenging the provisions of this Agreement (including without limitation any challenge that this Agreement or any action taken pursuant to this Agreement is inconsistent with the terms of the Plan) (a AClaim@), the Parties shall cooperate with each other in support of the defense of themselves, each other, and this Agreement against such Claim; provided, however, that none of the Parties shall be required to expend funds in connection with the defense of any other Party, either individually or jointly, unless the Parties otherwise agree in writing; provided further that nothing herein shall prevent the Parties from mutually agreeing to modify the Agreement in a manner that would negate the Claim. Nothing in this Section 11.B shall either (i) preclude a Party from challenging the actions of another Party as being inconsistent with this Agreement or the Plan, or (ii) require a Party to jointly defend an action brought pursuant to Section 11.B(i).”
4. In clarification, the RT 173 plan does not recommend a change to the Village's current allowed residential density. Residential section in the NW quadrant is currently planned by OMC to allow a maximum residential density of .5 units per acre. For consistency the County will consider changing the County's zoning to be .5 units per acre for this area through the comprehensive plan and zoning amendment process.

NORTHWEST QUADRANT
LAND USE CONCEPT PLAN

LEGEND

- R/S RETAIL/SERVICE
- O/R OFFICE & RESEARCH
- R RESIDENTIAL

