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CERTIFICATE OF VILLAGE CLERK
OF THE VILLAGE OF INVERNESS,
COOK COUNTY, ILLINOIS

2001-01-17 13:41:12
Cook County Recorder 35.50



0010041715

I HEREBY CERTIFY that I am the Village Clerk of the Village of Inverness, in the County of Cook and the State of Illinois, and am the keeper of the official records and corporate seal of said Village, and I do hereby certify that the copy of the Ordinance attached hereto and made a part hereof is a true and correct copy of the original Ordinance hereinafter described which copy was taken from and carefully compared with the original Ordinance entitled:

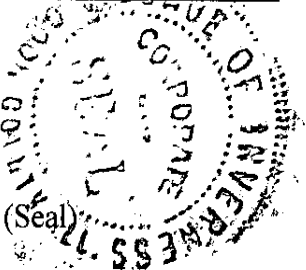
AN ORDINANCE
AMENDING ORDINANCE NO. 00-660, THE
PLANNED UNIT DEVELOPMENT ORDINANCE
FOR THE JUNG PROPERTY/
"THE GLENS OF INVERNESS"

which was passed by the Board of Trustees of said Village at a duly called regular or special meeting held in the Village of Inverness on the 14 day of NOVEMBER, 2000 and deposited and filed in the Office of the Clerk of said Village on said date and duly approved by the President and recorded by me in the Record of Ordinances of said Village as Ordinance No. 2000-O-686.

I further certify that a quorum was present at said meeting and said Ordinance was passed on a roll call vote taken by yeas and nays and entered into the records as required by law.

I further certify that the original of said Ordinance is in the records of said Village on file in my office for safekeeping and that said Ordinance has not been amended or repealed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Village this 15 day of NOVEMBER, 2000.



Patricia D. Ledvina

Patricia Ledvina
Village Clerk, Village of Inverness

Mail recorded document to:

James P. Bateman, Attorney at Law
Law Offices of James P. Bateman, Ltd.
5051 Shoreline Road
Barrington, IL 60010

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09/27/00
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VILLAGE OF INVERNESS

ORDINANCE NO. 00-686

AN ORDINANCE AMENDING ORDINANCE NO. 00-660, THE
PLANNED UNIT DEVELOPMENT ORDINANCE FOR THE
JUNG PROPERTY "THE GLENS OF INVERNESS"

ADOPTED BY THE
CORPORATE AUTHORITIES
OF THE

VILLAGE OF INVERNESS, ILLINOIS

THIS 14 DAY OF November, 2000

Published in pamphlet form by authority of the Corporate Authorities of the Village of Inverness,
Cook County, Illinois, this 15 day of November, 2000.

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ORDINANCE NO. 00-686

AN ORDINANCE AMENDING ORDINANCE NO. 00-660, THE
PLANNED UNIT DEVELOPMENT ORDINANCE FOR THE
JUNG PROPERTY/"THE GLENS OF INVERNESS"

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WHEREAS, Palatine Road-Barrington Road, L.L.C. and Toll IL II, L.P. (hereinafter collectively referred to as "the Petitioners"), the Owners and Developers of the residential planned unit development commonly known as "The Glens of Inverness" Subdivision, which subdivision is within the corporate limits of the Village of Inverness, the legal description of which is attached hereto and made a part hereof as Exhibit A (hereinafter referred to as "the Subject Property"), have petitioned the Village of Inverness for certain amendments to the "Planned Unit Development Ordinance Re: Jung Property/The Glens of Inverness", Village of Inverness Ordinance No. 00-660 (hereinafter referred to as "the P.U.D. Ordinance"); and

WHEREAS, the Petitioners have also requested that corresponding amendments also be made to the Annexation Agreement dated January 11, 2000, which annexed the Subject Property to the Village of Inverness; and

WHEREAS, the Corporate Authorities of the Village of Inverness (hereinafter "the Village") have considered the proposed amendments and held a public hearing thereon, all such notices and related procedures as are required by the ordinances of the Village and the laws of the State of Illinois; and

WHEREAS, the aforesaid petition for certain amendments to the P.U.D. Ordinance was referred to the Plan Commission of the Village and said Plan Commission held a public hearing thereon, after due publication, and made recommendations for approval of said petition as set forth herein, all pursuant to law; and

WHEREAS, the President and Board of Trustees of the Village of Inverness do hereby find that it is in the best interests of the Village and its residents to approve the proposed amendments to the P.U.D. Ordinance:

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NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Inverness, Cook County, Illinois, in exercise of the authority of this Village as a Home Rule Unit, as follows:

SECTION 1: The President and Board of Trustees find that the facts stated in the preamble of this Ordinance are true and correct.

SECTION 2: The P.U.D. Ordinance, Village of Inverness Ordinance No. 00-686 shall be and is hereby amended to read as follows:

A. Paragraph I of "Section 13: Site Development Restrictions" of the subject Planned Unit Development Ordinance is hereby amended to read as follows:

"(I) An additional temporary entrance may be located along Barrington Road in the location indicated on Exhibit A, or at ~~the~~ the location of the permanent entrance to the development on Palatine Road mutually agreed upon by the Village and the Developer and shall be permitted for access to models and to the temporary sales office, but such sales office may be established and maintained only on the condition that (1) a site plan for the entrance, models and temporary sales office shall have first been approved in writing by the Village President; and (2) any such office shall be located, landscaped and maintained to the reasonable satisfaction of the Village President and in compliance with such approved site plan. facilities as may be authorized pursuant to Section 16 hereof."

B. Paragraph A of "Section 15: Signs" of the subject Planned Unit Development Ordinance is hereby amended to read as follows:

"(A) The Developer may erect two (2) double-sided temporary development sales and identification signs, each such sign not to exceed thirty-two square feet in display surface area. The location and appearance of such signs shall be as shown on the drawings which are attached hereto as Exhibit B and shall in no event be located within any right-of-way. Such signs shall be removed from the premises five (5) years from January 11, 2000, or when Developer's sales activities terminate whichever first occurs."

C. Section 16, "Temporary Sales Offices", of the subject Planned Unit Development Ordinance is hereby amended to read as follows:

"SECTION 16: TEMPORARY SALES OFFICES.

The Developer may maintain one sales office ~~of for~~ the development, either in a trailer or in a model home, but not in both at the same time, and such sales facilities may be served by a temporary access entrance drive which shall be located either on Barrington Road located as shown on Exhibit A or at the location of the permanent entrance to the development on Palatine Road, but any such sales office may be established and maintained only on the condition that (1) a site plan for the entrance, models and temporary sales office shall have first been approved in writing by the Village President; and (2) the Developer is able to obtain the necessary permits and approvals for such access. and further provided, however, any such office shall be located, landscaped and maintained to the reasonable satisfaction of the Village President pursuant to a and in compliance with such approved site plan. approved in advance by the Village President. Any trailer used for this purpose shall be served by an adequate internal and self-contained water and sewer system, or a well and septic system which shall be adequate under Village ordinances to serve such use, or by water and sanitary services provided by the Village of Barrington. Any trailer used for a sales

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office on the Subject Property pursuant to this Section shall be removed from the Subject Property on or before five (5) years from January 11, 2000, or when Developer's sales activities terminate, whichever occurs first, provided, however, any sales offices in a model home on the Subject Property shall be removed whenever the Developer's sales activity terminates but need not be removed before that time."

- D. Section 17, "Covenants and Restrictions of Record", of the subject Planned Unit Development Ordinance is hereby amended by the addition of Paragraph BB, which shall read as follows:

"(BB) Notwithstanding any reference in this Ordinance to one or a single Condominium Association to be created by the Developer for the Development, the Board of Trustees of the Village may, without further amendment to this Ordinance, authorize and approve, in lieu of the creation of such a single Condominium Association by the Developer, the creation by the Developer of a master homeowners' association and a separate and subordinate condominium association for each phase of the two (2) phases of the Development. The Declaration of Condominium and Declaration of Covenants and Restrictions relating to such master homeowners' association and subordinate condominium association shall be approved in advance by the Village Attorney and, in such event, shall provide, among other things, that all improvements serving both phases of the Development as identified and designated by the Village shall be the responsibility of such master homeowners' association. The other provisions of this Ordinance shall be construed so as to give effect to this Paragraph BB."

- E. Paragraph (B) of Section 20, "Required Improvements", of the subject Planned Unit Development Ordinance is hereby amended to read as follows:

"(B) All required improvements within the Development, other than the final road surface course, and fine grading and landscaping, shall be completed in accordance with the applicable ordinances of the Village of Inverness and this Ordinance and the Exhibits hereto, prior to the issuance of any occupancy permits within the Development, except that the Village agrees to issue (1) temporary occupancy permits if weather does not permit installation of the same subject to the Developer posting adequate security; and (2) temporary occupancy permits for model homes only for their use as such and for the use of one such model home as a sales office as described in Section 16 and subject to the conditions therein stated."

- F. Section 29, "Grading; Models; Sales Office; Signs", of the subject Planned Unit Development Ordinance is hereby amended to read as follows:

"SECTION 29: GRADING, MODELS, SALES OFFICE; SIGNS.

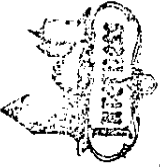
Developer shall have the right only after the Village Board's approval of the final plat of subdivision for a particular phase of the Development, approval in writing of the final engineering, plans and specifications by the Village Engineer and the Village of Barrington for the Development as a whole, and after the posting of the letter of credit for such phase as required by this Ordinance, to commence site grading and to construct six (6) single-family model homes, a sales facility, and a temporary entrance to same, and appurtenant water and sanitary facilities, all as authorized and approved pursuant to Section 16 of this Ordinance and subject to the conditions therein stated, and to construct temporary advertising signs, and entrance monuments as authorized and approved pursuant to Section 15 of this Ordinance at the same time as temporary sales signs as authorized by this Ordinance are installed on the Subject Property, but only after all of the respective permits and approvals for each such item have been issued. at the same time as temporary sales signs as authorized by this Ordinance are installed on the Subject Property. Internal directional signs indicating locations of models and sales office areas shall be of a design and placed at such locations within the Development as approved by the Village Engineer, or his designee."



G. Paragraph 2 of Exhibit H, "ARCHITECTURAL REVIEW STANDARDS", of the subject Planned Unit Development Ordinance is hereby amended to read as follows:

"2. Exterior wall material shall be of stone, brick, stucco, or other similar material acceptable to the Architectural Review Committee. Plywood and aluminum siding shall be and are hereby prohibited. Wood siding will be allowed only on rear and side elevations of dwellings, but those rear elevations of condominium units on Lots 1, 2, 4, 5, 6, 16 and 17 shall be of stone or brick, unless otherwise approved by the Architectural Review Committee. Imitation stone, imitation brick, exposed concrete or exposed cinder block are not permitted for exterior wall areas. The exterior wall material on the front elevation of the dwellings shall also be required to be on at least 30% of all side elevations, unless otherwise approved by the Architectural Review Committee. However, dormers, bays, and other areas which would require extraordinary support measures need not be of stone, brick, or other masonry materials. Exterior chimneys shall be constructed of stone and/or brick, provided exterior chimneys may be constructed of stucco on condominium units which have an exterior which is predominantly constructed of stucco."

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SECTION 3: Except as specifically amended herein, the P.U.D. Ordinance, Village of Inverness Ordinance No. 00-660 shall in all other respects remain in full force and effect until again amended by the approval of the Corporate Authorities of the Village of Inverness.

SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance, or any part hereof. The President and Board of Trustees hereby declare that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid, or ineffective. The President and Board of Trustees do hereby expressly exercise the Home Rule Authority of the Village of Inverness to waive, vary, cure and/or otherwise remove any procedural defect or technical deficiency in the proceedings relative to the adoption of this Ordinance.

SECTION 5: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form pursuant to law.

SECTION 6: The Village Clerk is hereby authorized and directed to publish this Ordinance and the Inverness Village Code hereby re-adopted in book or pamphlet form.

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Presented, read and passed by the President and Board of Trustees of the Village of Inverness, Cook County, Illinois, on a roll call vote at a duly called regular or special meeting of the Board of Trustees on the 14th day of November, 2000, and deposited and filed in the Office of the Clerk of said Village on said date.

ROLL CALL VOTE:

YEAS: Fleming, Neal, Post, Gallagher, Ryan, Polk

NAYS: None

ABSENT: None

ABSTAIN: None

APPROVED by the President of the Village of Inverness, Illinois, this 14th day of November, 2000.

Jim G. Post

Village President,
Village of Inverness

ATTEST:

Sabrina Redvona

Village Clerk,
Village of Inverness

Recorded in the Record of Ordinances of the Village as Ordinance No. 00-686

Sabrina Redvona

Village Clerk,
Village of Inverness

PUBLISHED IN PAMPHLET FORM THIS 15th DAY OF November, 2000.

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EXHIBIT A

LEGAL DESCRIPTION OF "THE GLENS OF INVERNESS" SUBDIVISION

PARCEL 1:

THE SOUTH HALF OF THE NORTHWEST QUARTER (EXCEPT THE EAST 10 ACRES THEREOF) AND THE NORTH 20 ACRES OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THAT PART THEREOF, IF ANY, FALLING WITHIN THE SOUTH 60 ACRES OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 24), IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, EXCEPT THEREFROM THE FOLLOWING:

EXCEPTION PORTION A:

THAT PART OF THE NORTHWEST QUARTER OF SAID SECTION 24 DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 24; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID SECTION 24 A DISTANCE OF 515.11 FEET; THENCE SOUTHEASTERLY ALONG A LINE THAT FORMS AN ANGLE OF 86 DEGREES 28 MINUTES TO THE LEFT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, A DISTANCE OF 398.23 FEET FOR THE POINT OF BEGINNING; THENCE NORTHERLY PARALLEL WITH THE WEST LINE OF SAID SECTION 24 A DISTANCE OF 184.58 FEET; THENCE EASTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION 24 A DISTANCE OF 574.52 FEET; THENCE SOUTHERLY PARALLEL WITH THE WEST LINE OF SAID SECTION 24 A DISTANCE OF 379.93 FEET; THENCE WESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION 24 A DISTANCE OF 574.52 FEET; THENCE NORTHERLY PARALLEL WITH THE WEST LINE OF SAID SECTION 24 A DISTANCE OF 195.35 FEET TO THE POINT OF BEGINNING;

EXCEPTION PORTION B:

THE EAST 331.40 FEET (AS MEASURED ON THE NORTH AND SOUTH LINES THEREOF) OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24.

PARCEL 3:

ALL THOSE PORTIONS OF PALATINE ROAD AND BARRINGTON ROAD WHICH ARE ADJACENT TO THE PARCELS 1 AND 2 AND NOT WITHIN ANY MUNICIPALITY.

P.I.N.s 01-24-100-003, 01-24-100-007, 01-24-100-011, 01-24-100-013, 01-24-100-014,
01-24-101-001, and 01-24-300-001