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0010355745

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2001-04-30 17:09:39

Cook County Recorder 67.00



ORDINANCE NO. 01-20

AN ORDINANCE GRANTING A SPECIAL PERMIT AND VARIATIONS  
TO ALLOW FOR THE CONSTRUCTION AND OPERATIONS  
OF A DRIVE-THROUGH BANK FACILITY AT  
1100 WAUKEGAN ROAD  
(NORTHBROOK BANK AND TRUST COMPANY)  
(PLAN COMMISSION DOCKET NO. 00-22)

Passed by the Board of Trustees, March 19, 2001

Printed and Published, March 20, 2001

Printed and Published in Pamphlet Form  
by Authority of the  
President and Board of Trustees

VILLAGE OF NORTHBROOK  
COOK COUNTY, ILLINOIS

I hereby certify that this document  
was properly published on the date  
stated above.

BOX 337

/s/ Lona N. Louis  
Village Clerk

I hereby certify this to be a true and exact copy of the  
original.

4/25/01 Lona N. Louis  
Date Village Clerk

# UNOFFICIAL COPY 11/25/01 745

## ORDINANCE NO. 01-20

BE IT ORDAINED by the President and Board of Trustees of the Village of Northbrook, County of Cook and State of Illinois THAT:

AN ORDINANCE GRANTING A SPECIAL PERMIT AND VARIATIONS  
TO ALLOW FOR THE CONSTRUCTION AND OPERATION  
OF A DRIVE-THRU BANK FACILITY AT  
1100 WAUKEGAN ROAD  
(NORTHBROOK BANK AND TRUST COMPANY)  
(PLAN COMMISSION DOCKET NO. 00-22)

be and is hereby adopted as follows:

Section 1. BACKGROUND

Wintrust Asset Management, N.A., as trustee under trust agreement dated February 14, 2000 and known as Trust No. 1433 (the "Trustee") and Northbrook Bank and Trust Co. ("Northbrook Bank"), a subsidiary of Wintrust Financial Corporation ("Wintrust Financial"), (Trustee, Northbrook Bank, and Wintrust Financial are collectively referred to herein as the "Applicant"), have requested (i) a special permit to allow for the construction and operation of a drive-thru bank facility, including a drive-thru automated teller machine ("ATM"), and (ii) approval of certain parking, loading and setback variations to accomplish development of the property commonly known as 1100 Waukegan Road (the "Subject Property).

Section 2. DESCRIPTION OF SUBJECT PROPERTY

The Subject Property is commonly known as 1100 Waukegan Road and is legally described in Exhibit A, attached to and, by the reference, made part of this Ordinance. The Subject Property is located within the C-2 Neighborhood Commercial District.

Section 3. PUBLIC HEARING

A public hearing to consider the subject application for the special permit and variations was duly advertised on September 28, 2000 in the *Northbrook Star* and publicly heard by the Plan Commission on October 17, 2000. Subsequent hearings were held to consider the subject application on December 5, 2000, December 19, 2000, and January 30, 2001. The Plan Commission recommended approval of the application on January 30, 2001 by adoption of Resolution No. 01-PC-01.

Section 4. SPECIAL PERMIT TO ALLOW CONSTRUCTION AND OPERATION OF A DRIVE-THRU BANK FACILITY

Subject to, and contingent upon, the conditions, restrictions and provisions set forth in Section 6 of this Ordinance, a special permit to allow the construction of a drive-thru bank facility with a drive-thru ATM on the Subject shall be, and is hereby, granted to the Applicant in accordance with and pursuant to Subsection 11-602 E1 of the Village of Northbrook Zoning Code (1988), (the "Zoning Code"), and the home rule powers of the Village of Northbrook.

B. Limitations on Use. The proposed building on the Subject Property shall be used and operated solely as a financial institution by Northbrook Bank. No portion of the proposed building shall be leased, licensed, or assigned to any party, at any time.

C. Limitations on Signage. The proposed development may have a total of four signs, consisting of three wall signs and one monument sign; such limitations shall not include the on-site directional signage for the Subject Property, including traffic pattern arrows, "Do Not Enter," and "Stop" signs, as depicted on Exhibit B of this Ordinance.

D. Unobstructed Parking. The Applicant shall insure that the 23 off street parking spaces are available for customer and employee use at all times and left unobstructed, including the prompt clearance from the off street parking spaces, and if necessary, the removal to an offsite location of snow accumulation of two inches or more.

Section 7. FAILURE TO COMPLY WITH CONDITIONS

Upon the failure or refusal of the Applicant to comply with any or all of the conditions, restrictions or provisions of this Ordinance, the special permit granted in Section 4 and the variations granted in Section 5 of the Ordinance shall, at the sole discretion of the Village Board of Trustees, by ordinance duly adopted, be revoked and become null and void; provided, however, that the Village Board of Trustees may not so revoke the variations and special permit unless it shall first provide the Applicant with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Board of Trustees. In the event of revocation, the development and use of the Subject Property shall be governed solely by the regulations of the C-2 Neighborhood Commercial District, as the same may, from time to time, be amended. Further, in the event of such revocation of the variations and special permit, the Village Manager and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances. The Applicant acknowledges that public notices have been given and public hearings have been held with respect to the adoption of this Ordinance, has considered the possibility of the revocation provided for in this Section, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or any denial of any procedural right, provided that the notice to the Applicant required by this Section is given.

Section 8. AMENDMENT TO VARIATIONS AND SPECIAL PERMIT

Any amendments to the special permit granted in Section 4 of this Ordinance or to the variations granted in Section 5, of this Ordinance that may be requested by the Applicant after the effective date of this Ordinance may be granted only pursuant to the procedures, and subject to the standards and limitations, provided in the Zoning Code.

Section 9. BINDING EFFECT; NON-TRANSFERABILITY

The privileges, obligations, and provisions of each and every Section of this Ordinance, are for the sole benefit of, and shall be binding on, the Applicant, except as otherwise expressly provided in this Ordinance.

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## LIST OF EXHIBITS

- EXHIBIT A: Legal Description of the Subject Property
- EXHIBIT B: Site Plan
- EXHIBIT C: Landscaping Plan and Planting Schedule
- EXHIBIT D: Engineering Plans
- EXHIBIT E: Building Elevations
- EXHIBIT F: Unconditional Agreement and Consent

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## EXHIBIT A

10355745

### Legal Description of the Subject Property

THAT PART OF LOTS 1 AND 2 IN WEBER'S ADDITION TO SHERMERVILLE, BEING A SUBDIVISION OF PART OF LOT 17 OF ASSESSORS DIVISION IN SECTION 10, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, AS RECORDED SEPTEMBER 12, 1903 AS DOCUMENT NUMBER 3440449 IN COOK COUNTY, ILLINOIS, (EXCEPT THAT PART THEREOF TAKEN FOR HIGHWAYS) DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHERLY CORNER OF SAID LOT 1, IT BEING AT THE INTERSECTION OF THE CENTER LINE OF SHERMER AVENUE WITH THE CENTER LINE OF WAUKEGAN ROAD, THENCE SOUTHWESTERLY ALONG THE CENTER LINE OF SAID SHERMER AVENUE, IT BEING THE NORTHWESTERLY LINE OF SAID LOTS 1 AND 2 A DISTANCE OF 166.20 FEET TO A POINT; THENCE SOUTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 94 DEGREES 25 MINUTES FROM NORTHEAST TO EAST TO SOUTHEAST WITH THE LAST DESCRIBED LINE A DISTANCE OF 33.10 FEET TO THE SOUTHEASTERLY LINE OF SHERMER AVENUE FOR A POINT OF BEGINNING OF THIS TRACT: THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID SHERMER AVENUE IT BEING 33 FEET SOUTHEASTERLY OF (MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE CENTER LINE OF SAID SHERMER AVENUE A DISTANCE OF 131.66 FEET TO A POINT WHICH IS 30 FEET SOUTHWESTERLY OF (MEASURED AT RIGHT ANGLES TO) THE CENTER LINE OF SAID WAUKEGAN ROAD, THENCE SOUTHEASTERLY ALONG A LINE WHICH IS 30 FEET SOUTHWESTERLY OF (MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE CENTER LINE OF SAID WAUKEGAN ROAD A DISTANCE OF 200 FEET TO A POINT, THENCE SOUTHWESTERLY ALONG A LINE FORMING AN ANGLE OF 107 DEGREES 09 MINUTES 06 SECONDS FROM NORTHWEST TO WEST TO SOUTHWEST WITH THE LAST DESCRIBED LINE (IT BEING PARALLEL WITH THE NORTHWESTERLY LINES OF SAID LOTS 1 AND 2) A DISTANCE OF 108.14 FEET TO A POINT, THENCE NORTHWESTERLY ALONG A LINE FORMING AN ANGLE OF 85 DEGREES 35 MINUTES FROM NORTHEAST TO NORTH TO NORTHWEST WITH THE LAST DESCRIBED LINE A DISTANCE OF 196.80 FEET TO THE POINT OF BEGINNING, (EXCEPTING THEREFROM THAT PART OF THE LAND DESCRIBED AS FOLLOWS:

THAT PART OF LOT 1 IN WEBER'S ADDITION TO SHERMERVILLE, BEING A SUBDIVISION OF PART OF LOT 17 OF ASSESSOR'S DIVISION OF SECTION 10, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, AS RECORDED SEPTEMBER 12, 1903, AS DOCUMENT NUMBER 3440449 IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SHERMER ROAD, 36.63 FEET SOUTHWESTERLY OF THE WESTERLY RIGHT-OF-WAY LINE OF WAUKEGAN ROAD (MEASURED ON THE SOUTHERLY LINE OF SHERMER ROAD); THENCE EASTERLY ALONG A CURVE TO THE RIGHT, THE RADIUS OF WHICH IS 30.00 FEET, TO A POINT, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF WAUKEGAN ROAD; THENCE NORTHWESTERLY ALONG THE WESTERLY RIGHT-OF-WAY LINE OF WAUKEGAN ROAD, A DISTANCE OF 36.63 FEET TO A POINT, SAID POINT BEING THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF WAUKEGAN ROAD AND THE SOUTHERLY RIGHT-OF-WAY LINE OF SHERMER ROAD; THENCE SOUTHWESTERLY ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SHERMER ROAD, A DISTANCE OF 36.63 FEET TO THE POINT OF BEGINNING), IN COOK COUNTY, ILLINOIS.

Commonly known as: 1100 Waukegan Road, Northbrook, Illinois  
Permanent Index No.: 04-10-301-049-0000

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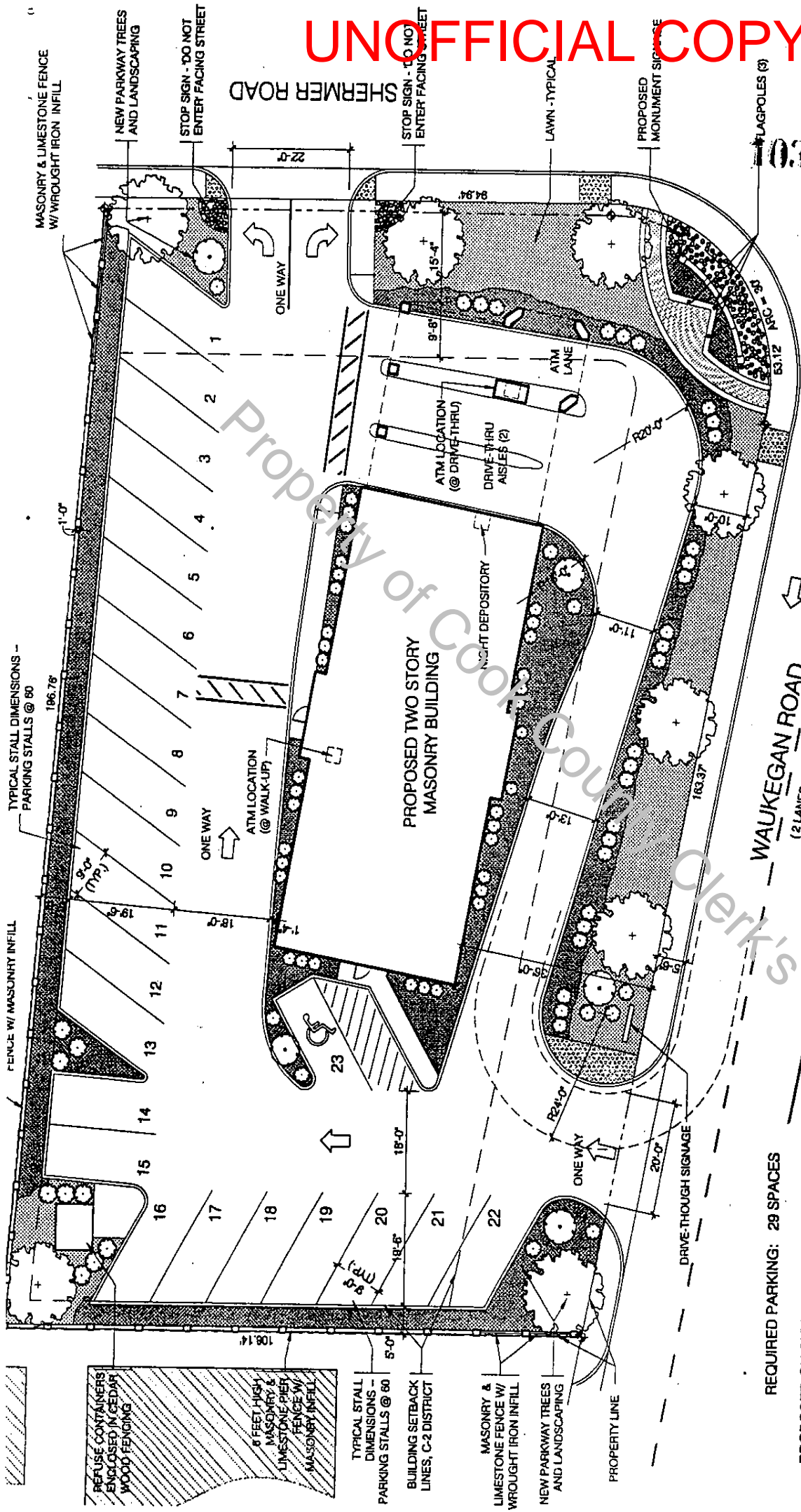
EXHIBIT B

10355745

Site Plan

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REQUIRED PARKING: 29 SPACES  
 PROPOSED ON SITE PARKING: 23 SPACES  
 REQUESTED PARKING VARIATION: 6 SPACES (20.7%)

**M**YERSKI  
**C**OOK  
**A**RCHITECTS, INC.  
 716 VERNON AVENUE  
 GLENCOE, ILLINOIS 60022  
 TELEPHONE 847-835-7081  
 FACSIMILE 847-835-7082

**NORTHBROOK BANK  
 AND TRUST COMPANY**

1100 WAUKEGAN ROAD, NORTHBROOK, ILLINOIS

PROPOSED SITE PLAN  
 SCALE: 1" = 25'-0"  
 JANUARY 23, 2001



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TYPICAL STALL DIMENSIONS - PARKING STALLS @ 80

FENCE W/ MASONRY INFILL

REUSE CONTAINERS ENCLOSED IN CEDAR WOOD FENCING

6 FEET HIGH MASONRY & LIMESTONE PIER FENCE W/ MASONRY INFILL

TYPICAL STALL DIMENSIONS - PARKING STALLS @ 80

BUILDING SETBACK LINES, C-2 DISTRICT

MASONRY & LIMESTONE FENCE W/ WROUGHT IRON INFILL

NEW PARKWAY TREES AND LANDSCAPING

PROPERTY LINE

SHERMER ROAD

STOP SIGN - DO NOT ENTER FACING STREET

LAWN - TYPICAL

PROPOSED MONUMENT SIGNAGE

LAGPOLES (3)

NEW PARKWAY TREES AND LANDSCAPING

STOP SIGN - DO NOT ENTER FACING STREET

STOP SIGN - DO NOT ENTER FACING STREET

LAWN - TYPICAL

PROPOSED MONUMENT SIGNAGE

LAGPOLES (3)

MASONRY & LIMESTONE FENCE W/ WROUGHT IRON INFILL

STOP SIGN - DO NOT ENTER FACING STREET

STOP SIGN - DO NOT ENTER FACING STREET

LAWN - TYPICAL

PROPOSED MONUMENT SIGNAGE

LAGPOLES (3)

MASONRY & LIMESTONE FENCE W/ WROUGHT IRON INFILL

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PROPOSED MONUMENT SIGNAGE

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PROPOSED MONUMENT SIGNAGE

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LAWN - TYPICAL

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STOP SIGN - DO NOT ENTER FACING STREET

LAWN - TYPICAL

PROPOSED MONUMENT SIGNAGE

LAGPOLES (3)

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EXHIBIT C

Landscaping Plan and Planting Schedule

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myefskicook@msn.com

## NORTHBROOK BANK AND TRUST COMPANY

### PLANTING SCHEDULE

QTY.	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	COMMENTS
CANOPY TREES					
3	ACER MIYABE 'MORTON' *	STATE STREET MIYABE MAPLE	3"	B & B	SPECIMEN
4	FRAXINUS QUADRANGULATA NATIVE *	BLUE ASH	3"	B & B	SPECIMEN
ORNAMENTAL TREES					
1	CRATAEGUS VIRIDIS 'WINTER KING'	WINTER KING HAWTHORNE	2.5"	B & B	SPECIMEN
5	HAMAMELIS 'ARNOLD'S PROMISE'	ARNOLD'S PROMISE WITCH HAZEL	7'	B & B	SPECIMEN
SHRUBS					
52	CORNUS SERICEA	REDOSIER DOGWOOD	36"	B & B	
8	TAXUS MEDIA 'DENSIFORMIS'	DENSE YEW	24" SPD	B & B	MATCHING
10	THUJA OCCIDENTALIS	ARBOVITAE	6'	B & B	
12	VIBURNUM PLI. TOM 'MARIESI'	MARIESI DOUBLEFILE VIBURNUM	24"	B & B	
PERENNIALS/GROUND COVERS					
240	HEDRA HELIX 'BALTICA'	BALTIC IVY	2 25" POT	CONT.	MIN. 2 RUNNERS 8" LONG
180	HEMEROCALLIS 'STELLA DORO'	STELLA DORO DAYLILLY	1 GAL.	CONT.	
290	HOSTA SEIBOLDIANA	SIEBOLDIANA HOSTA	1 GAL.	CONT.	
300	IRIS SIBIRICA 'CAESER'S BROTHER'	SIBERIAN IRIS	1 GAL.	CONT.	
100	RUDEBECKIA F. 'GOLDSTRUM'	BLACK EYED SUSAN	1 GAL.	CONT.	

\* Plan commission suggestion - Village Arborist to confirm

January 22, 2001

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EXHIBIT D

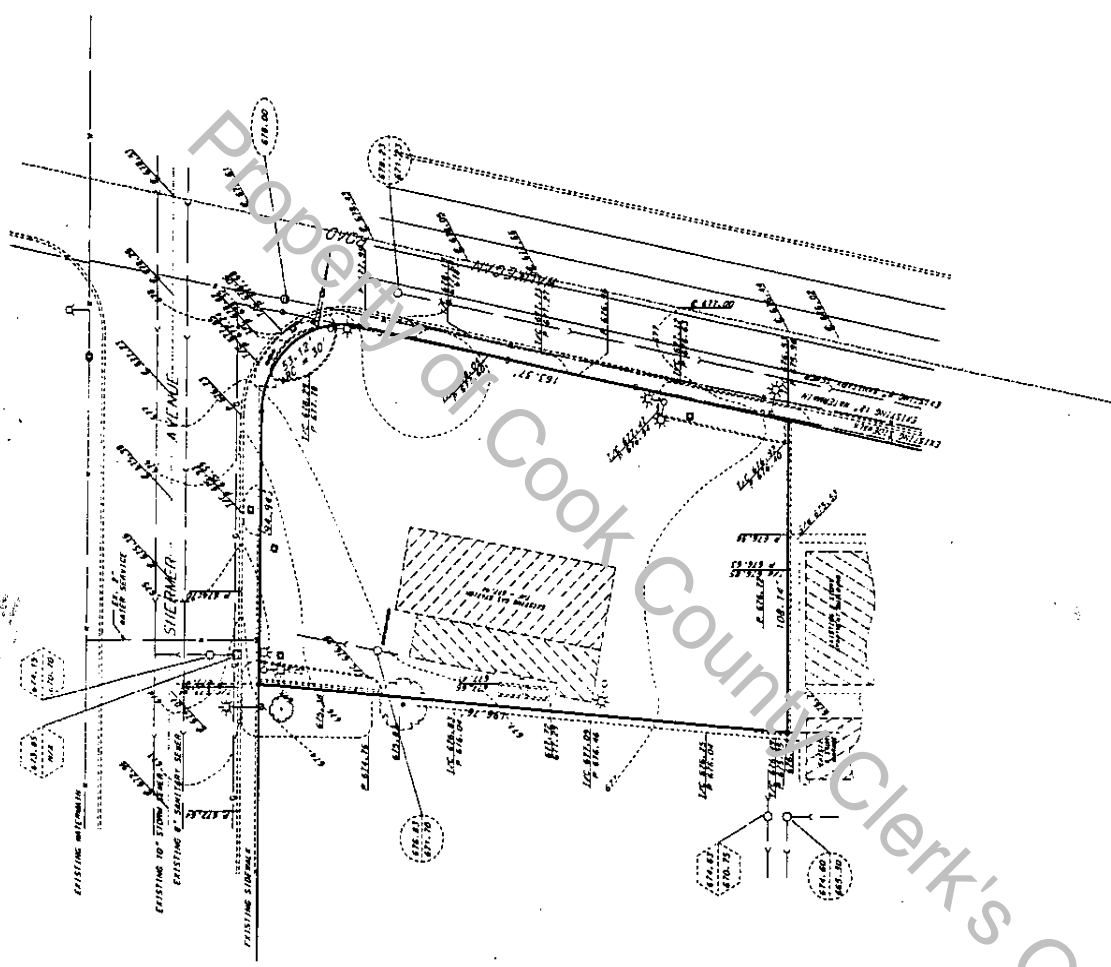
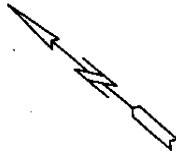
Preliminary Engineering Plans

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Property of Cook County Clerk's Office

THESE PLANS ARE NOT VALID UNLESS SIGNED AND SEALED BY SETON ENGINEERING



PROPOSED WINTHURST BANK  
NORTH BRANSON, MISSOURI  
SITE GRADING PLAN

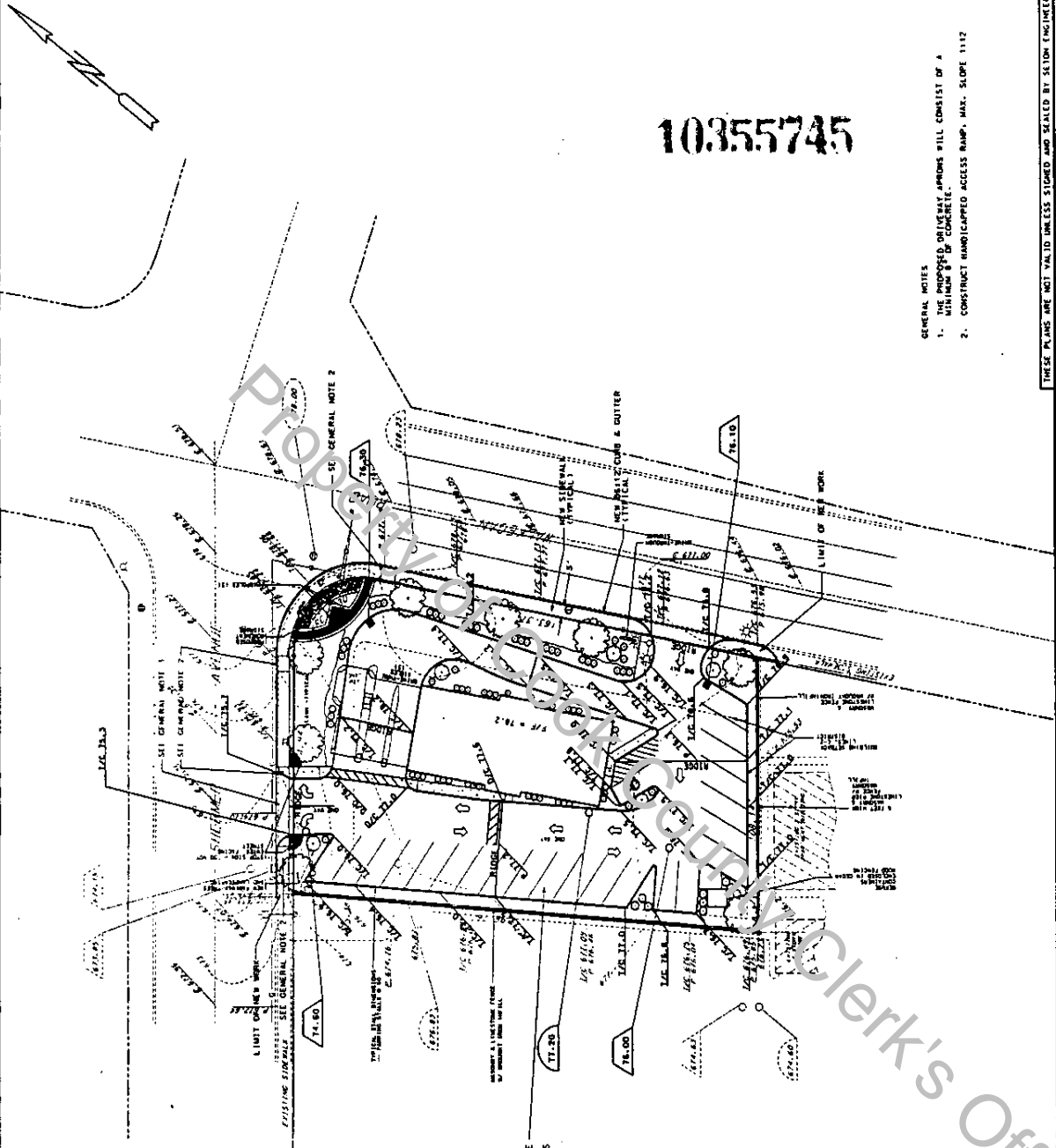
SETON ENGINEERING  
CIVIL ENGINEERS  
5041 LINDSAY DRIVE  
ST. LOUIS, MISSOURI 63067  
DESIGN: TJM  
DRAFTING: MJJ  
SCALE: 1" = 20'  
DATE: 1-18-01

NO.	REVISIONS

PROJECT  
2000004

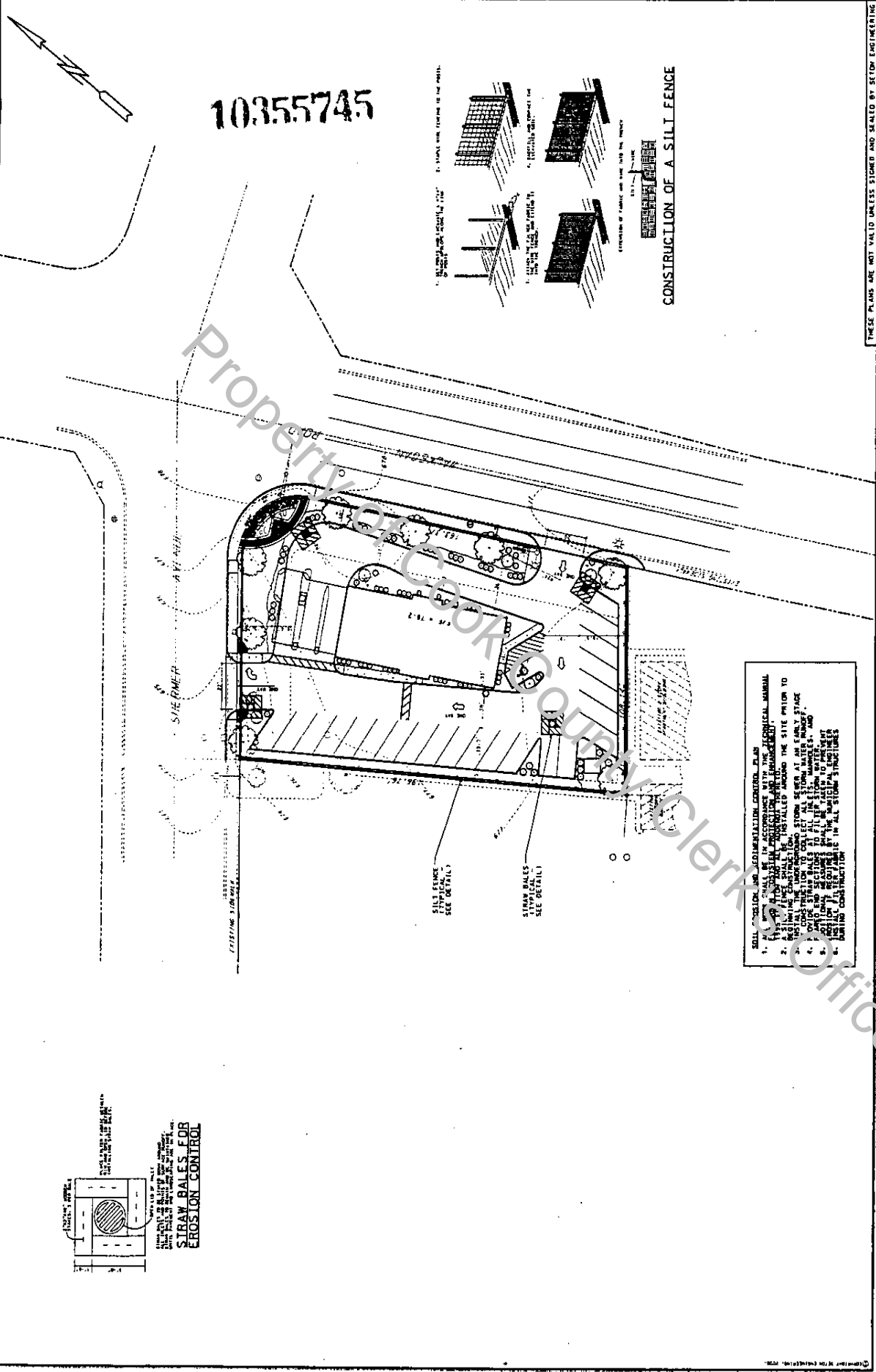
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- GENERAL NOTES
1. THE PROPOSED DRIVEWAY APPROX WILL CONSIST OF A MINIMUM 8" OF CONCRETE.
  2. CONSTRUCT HANDICAPPED ACCESS RAMP, MAX. SLOPE 1:12



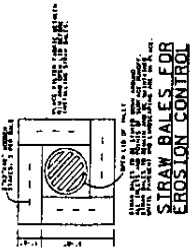
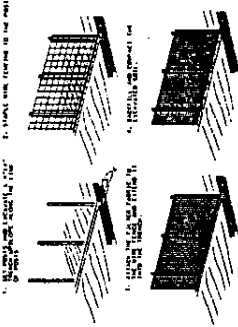
THE PAVEMENT SECTION FOR THE PARKING LOT SHALL HAVE A MINIMUM 4" SURFACE COURSE OVER A 4" SAND BASE. THE DRIVEWAY SHALL HAVE A MINIMUM 8" SURFACE COURSE OVER A 4" SAND BASE. THE DRIVEWAY SHALL HAVE A MINIMUM 4" SURFACE COURSE OVER A 4" SAND BASE.

THESE PLANS ARE NOT VALID UNLESS SIGNED AND SEALED BY SETON ENGINEERING SHEET 1 OF 1



ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE TECHNICAL MANUAL FOR THE ILLINOIS EROSION CONTROL AND SILT FENCE SYSTEM. THE FOLLOWING SHALL BE INSTALLED AROUND THE SITE PRIOR TO INITIAL THE INTERMEDIATE STORM SEWER AT AN EARLY STAGE OF CONSTRUCTION:

1. SILT FENCE
2. STRAW BALES
3. SILT FENCE
4. STRAW BALES
5. SILT FENCE
6. STRAW BALES
7. SILT FENCE
8. STRAW BALES



THESE PLANS ARE NOT VALID UNLESS SIGNED AND SEALED BY SETON ENGINEERING SHEET 1 OF 1







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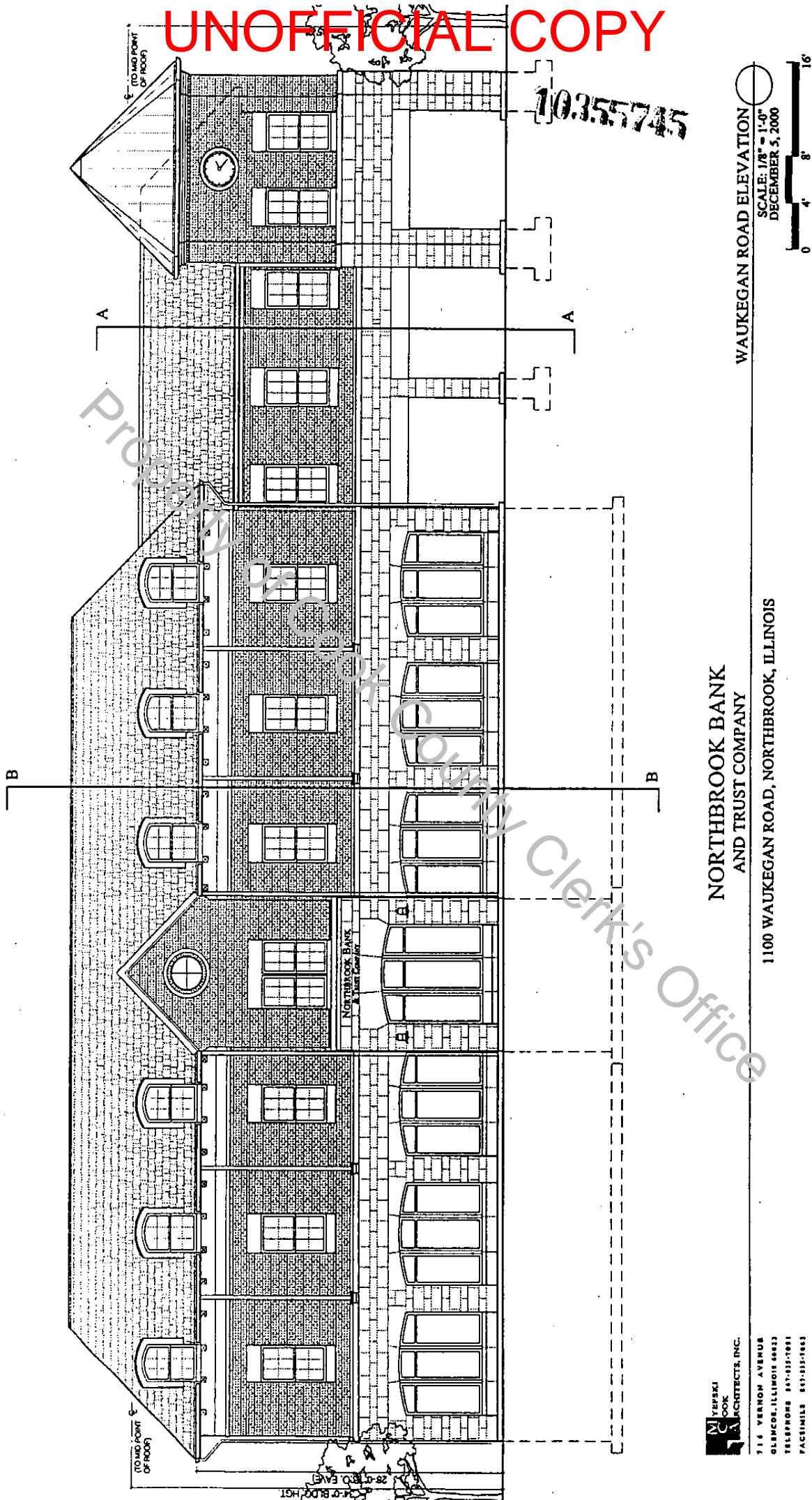
EXHIBIT E

Building Elevations

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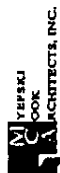
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WAUKEGAN ROAD ELEVATION  
 SCALE: 1/8" = 1'-0"  
 DECEMBER 5, 2000

NORTHBROOK BANK  
 AND TRUST COMPANY

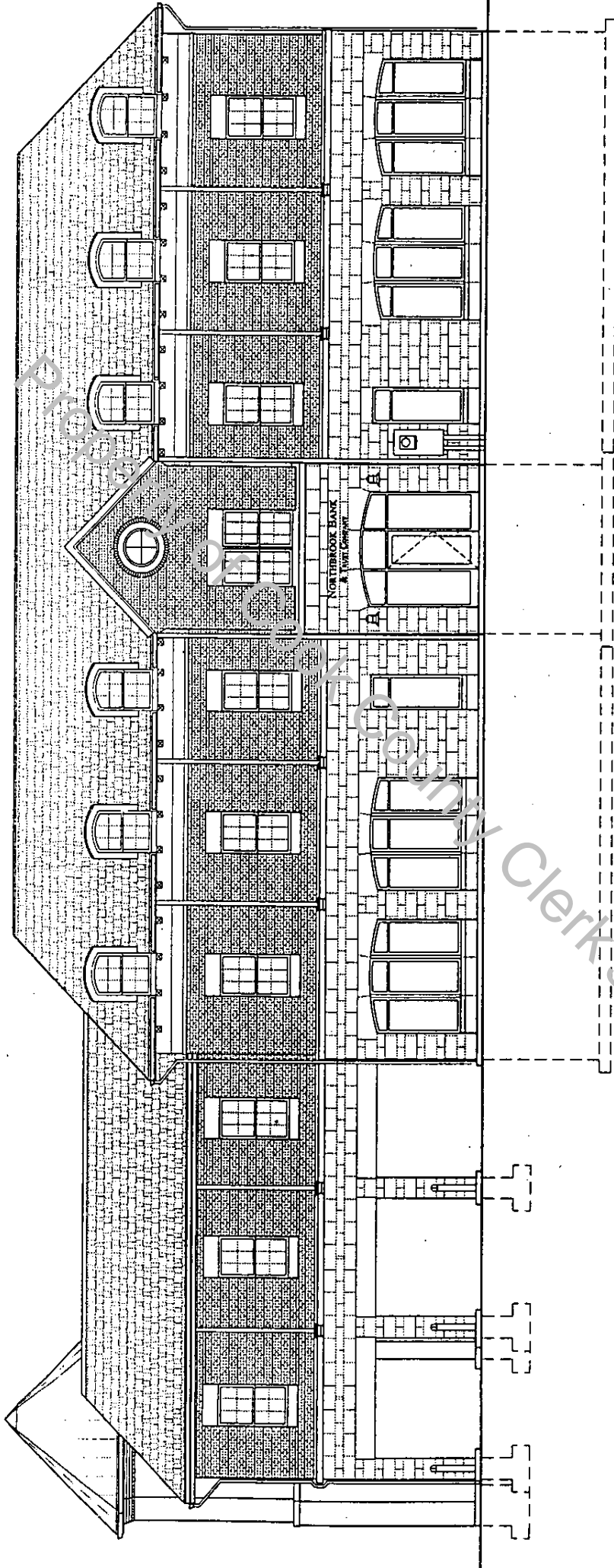
1100 WAUKEGAN ROAD, NORTHBROOK, ILLINOIS



YERSKI  
 COOK  
 ARCHITECTS, INC.  
 716 VERNON AVENUE  
 GLENCOE, ILLINOIS 60023  
 TELEPHONE 847-833-7881  
 FACSIMILE 847-833-7883

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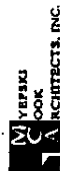
REAR ELEVATION

SCALE: 1/8" = 1'-0"  
NOVEMBER 28, 2000



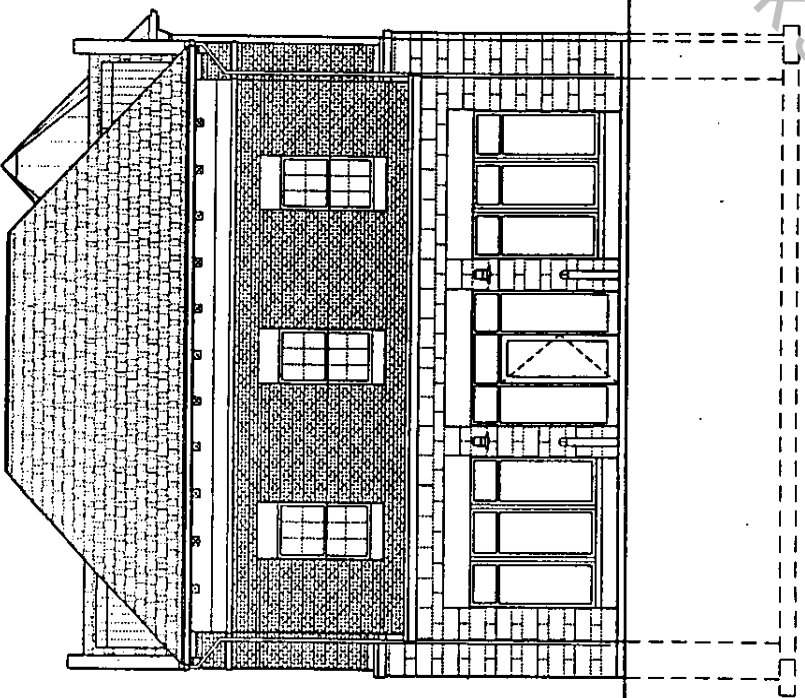
**NORTHBROOK BANK  
AND TRUST COMPANY**

1100 WAUKEGAN ROAD, NORTHBROOK, ILLINOIS

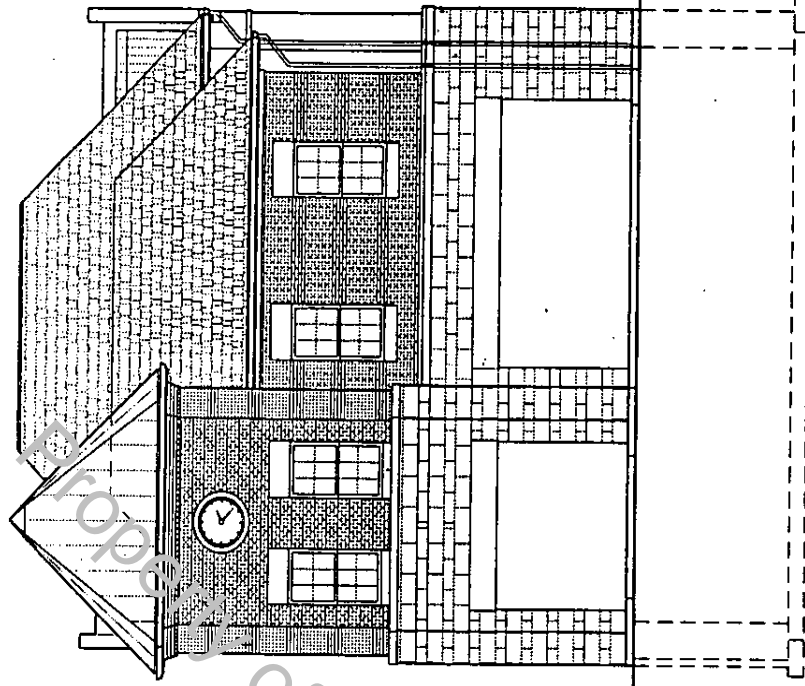


714 VERNON AVENUE  
GLENCOE, ILLINOIS 60022  
TELEPHONE 637-933-1811  
FACSIMILE 637-933-1802

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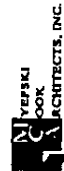
SOUTH ELEVATION



NORTH ELEVATION

**NORTHBROOK BANK  
AND TRUST COMPANY**

1100 WAUKEGAN ROAD, NORTHBROOK, ILLINOIS



716 VERNON AVENUE  
GLENCOE, ILLINOIS 60022  
TELEPHONE 607-933-7081  
FACSIMILE 607-933-7082

**NORTH & SOUTH ELEVATIONS**  
SCALE: 1/8" = 1'-0"  
DECEMBER 5, 2000



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## EXHIBIT F

### Unconditional Agreement and Consent of Applicant

TO: The Village of Northbrook, Illinois (the "Village");

WHEREAS, Northbrook Bank and Trust Co. (the "Applicant") has applied for (i) a special permit to allow construction and operation of a drive-thru banking facility, including a drive-thru automated teller machine ("ATM"); and (ii) approval of any such variations, waivers, and zoning relief as may be necessary to accomplish development of the property located at 1100 Waukegan Road in the Village of Northbrook (the "Subject Property"); and

WHEREAS, Ordinance No. 01-20, adopted by the President and Board of Trustees of the Village of Northbrook on March 19, 2001 (the "Ordinance"), grants approval of such special permit, variations and waivers, subject to certain conditions; and

WHEREAS, the Applicant desires to evidence to the Village its unconditional agreement and consent to accept and abide by each of the terms, conditions, and limitations set forth in said Ordinance;

NOW THEREFORE, the Applicant does hereby agree and covenant as follows:

1. The Applicant shall and does hereby unconditionally agree to, accept, consent to and abide by all of the terms, conditions, restrictions, and provisions of that certain Ordinance No. 01-20, adopted by the Village Board of Trustees on March 19, 2001.
2. The Applicant acknowledges and agrees that the Village is not and shall not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's review and approval of any plans for the Subject Property, or the issuance of any permits for the use and development of the Subject Property, and that the Village's review and approval of any such plans and issuance of any such permits does not, and shall not, in any way, be deemed to insure the Applicant against damage or injury of any kind and at any time.
3. The Applicant acknowledges that the public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, has considered the possibility of the revocation provided for in the Ordinance, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or any denial of any procedural right, provided that the notice to the Applicant required by Section 7 of the Ordinance is given.
4. The Applicant agrees to and does hereby hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with (a) the Village's review and approval of any plans and issuance of any permits, (b) the procedures followed in connection with the adoption of the Ordinance, (c) the development, construction, maintenance, and use of the Subject Property, and (d) the performance by the Applicant of its obligations under this Unconditional Consent and Agreement.
5. The Applicant shall, and does hereby agree to, pay all expenses incurred by the Village in defending itself with regard to any and all of the claims mentioned in this

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Unconditional Consent and Agreement. These expenses shall include all out-of-pocket expenses, such as attorneys' and experts' fees, and shall also include the reasonable value of any services rendered by any employees of the Village.

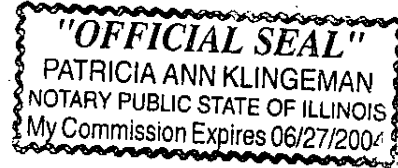
ATTEST:

Wintrust Asset Management, N.A.,  
as Trustee U/T/A dated February 14,  
2000 and known as Trust No. 1433

By: \_\_\_\_\_  
Its: \_\_\_\_\_

By: *E. J. Kelly*  
Its: Chairman

SUBSCRIBED and SWORN to  
before me this 18th day of  
April, 2001.  
Notary Public



*Patricia Ann Klingeman*

ATTEST:

Northbrook Bank and Trust Co., a  
subsidiary of Wintrust Financial  
Corporation

By: \_\_\_\_\_  
Its: \_\_\_\_\_

By: *Richard C. Anshewsky*  
Its: PRESIDENT & CEO

SUBSCRIBED and SWORN to  
before me this 18th day of  
April, 2001.  
Notary Public



*Patricia Ann Klingeman*

ATTEST:

Wintrust Financial Corporation,  
an Illinois corporation

By: \_\_\_\_\_  
Its: \_\_\_\_\_

By: *E. J. Kelly*  
Its: President

SUBSCRIBED and SWORN to  
before me this 18th day of  
April, 2001.  
Notary Public



*Patricia Ann Klingeman*