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# EXHIBIT

ATTACHED TO

0030243020

DOCUMENT NUMBER

0220-03

SEE PLAT BOOK

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Property of Cook County Clerk's Office

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5310/0201 50 001 Page 1 of 6  
2003-02-20 15:59:33  
Cook County Recorder 62.00

## Village of Mount Prospect

100 South Emerson Street  
Mount Prospect, Illinois 60056

Phone: (847) 392-6000  
Fax: (847) 392-6022  
TDD: (847) 392-6064

I, Kimberly A. Dewis, do hereby certify that I am the duly appointed Deputy Village Clerk of the Village of Mount Prospect and as such, am keeper of the records and files of said Village.

I do further certify that attached hereto is a true and correct copy of Ordinance No. 5269 entitled "AN GRANTING A CONDITIONAL USE PERMIT AND VARIATION FOR PROPERTY LOCATED AT 1020 EAST RAND ROAD," passed at the regular meeting of the Village Board of Mount Prospect held August 20, 2002.

The Village Board voted as follows:


AYES: Corcoran, Hoefert, Lohrstorfer, Skowron, Wilks, Zadel

NAYS: None

ABSENT: None

all as appears in the official records and files in my care and custody.

Dated this 6<sup>th</sup> day of February, 2003.

  
\_\_\_\_\_  
Kimberly A. Dewis, Deputy Village Clerk  
Village of Mount Prospect  
Cook County, Illinois

RECORDING FEE 62.00  
DATE 2/20/03 PAGES 6  
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(Seal)

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MAIL TO RECORDER'S BOX 324 (PAO)

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ORDINANCE NO. 5269

0030243020

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT AND VARIATION  
FOR PROPERTY LOCATED AT 1020 EAST RAND ROAD

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Passed and approved by  
the President and Board of Trustees  
the 20<sup>th</sup> day of August, 2002

Published in pamphlet form by  
authority of the corporate  
authorities of the Village of  
Mount Prospect, Illinois, the  
21<sup>st</sup> day of August, 2002

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wml  
7/17/02  
7/29/02

ORDINANCE NO. 5269

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT  
AND VARIATION FOR PROPERTY LOCATED AT  
1020 EAST RAND ROAD

0035243020

WHEREAS, George Zervos d/b/a Zervos Shell & Food Mart (hereinafter referred to as "Petitioner") has filed a petition for a Conditional Use permit and Variation with respect to property located at 1020 East Rand Road, (hereinafter referred to as the "Subject Property") and legally described as follows:

That part of the south 1653.37' of the east ½ of the SW ¼ (measures on the east line of said tract) and the SW ¼ of the SW ¼ of Sec. 35, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, IL, described as follows: Commencing at the SEC of the SW ¼ of said Sec. 35, thence west along the south line of the said SW ¼ for a distance of 1108.91', thence north along a line which makes an angle of 90 degrees, 0 minutes with the last described line for a distance of 33' to an intersection with the north line of Central Road for a point of beginning, thence west along the north line of Central Road for a distance of 150' thence north along a line which makes an angle of 90 degrees, 0 minutes with the last described line for a distance of 158.47' to an intersection with the southerly right of way line of Rand Road (Rt. 12) thence southeasterly along the said southerly right of way line of Rand Road for a distance of 176.29' to a point on the west line of Mt. Prospect Road extended North; thence south 62.11' along said west line to the point of beginning all in Cook County, IL (excepting there from the south 17' of the land as condemned in case 78L15470);

Property Index Number: 03-35-301-020-000

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and

WHEREAS, the Petitioner seeks a Conditional Use permit to redevelop an existing 1,724 square foot gas station with convenience mart, as provided in Section 14.1703 of the Village Code; and

WHEREAS, the Petitioner seeks a Variation from Section 14.1704.A., as provided in Section 14.203.C.9 of the Village Code, to allow a canopy to encroach into the required thirty-foot (30') setback along the north and south property lines, those being Rand Road and Central Road, respectively; and

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1020 E. Rand Road  
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WHEREAS, a Public Hearing was held on the request for a Conditional Use and Variation being the subject of PZ-15-02 before the Planning and Zoning Commission of the Village of Mount Prospect on the 25<sup>th</sup> day of July, 2002, pursuant to proper legal notice having been published in the Mount Prospect Journal & Topics on the 12<sup>th</sup> day of June, 2002; and

WHEREAS, the Planning and Zoning Commission has submitted its findings and recommendation to the President and Board of Trustees in support of the request being the subject of PZ-15-02; and

WHEREAS, the President and Board of Trustees of the Village of Mount Prospect have given consideration to the requests herein and have determined that the same meets the standards of the Village and that the granting of the proposed Conditional Use permit and Variation would be in the best interest of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MOUNT PROSPECT, COOK COUNTY, ILLINOIS:

SECTION ONE: The recitals set forth hereinabove are incorporated as findings of fact by the President and Board of Trustees of the Village of Mount Prospect.

SECTION TWO: The President and Board of Trustees of the Village of Mount Prospect do hereby grant a Conditional Use permit to allow the redevelopment of an existing 1,724 square foot gas station with convenience mart, as provided in Section 14.203.F.7 of the Village Code; and

SECTION THREE: The President and Board of Trustees of the village of Mount Prospect do hereby grant a Variation, as provided in Section 14.203.C.7 of the Village Code, to reduce the thirty foot (30') front setback requirement to allow a canopy to be constructed, as shown on the Site Plan, a copy of which is attached hereto and hereby made a part hereof.

SECTION FOUR: Prior to the issuance of a building permit relative to the Conditional Use permit and Variations, the following conditions and/or written documentation shall be fulfilled:

1. Development of the site in general conformance with the site plan prepared by Richard Thomas Architects, dated June 25, 2002.
2. Submission of a final landscape plan in general conformance with the landscape plan prepared by Richard Thomas Architects, dated July 1, 2002, revised to reflect decorative planter boxes along the front elevation of the store, which include year-round plants.

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1020 E. Rand Road  
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3. *Redevelopment of the building in general conformance with elevations prepared by Richard Thomas Architects, dated June 27, 2002, subsequently revised to allow only one reader board on the south (Central Road) frontage.*
4. Submittal and approval of final engineering plans meeting all Development Code requirements.
5. Submittal of final building plans, meeting all applicable Building Code and Fire Code requirements.
6. Approval of appropriate permits by I.D.O.T. and M.W.R.D.

SECTION FIVE: The Village Clerk is hereby authorized and directed to record a certified copy of this Ordinance with the Recorder of Deeds of Cook County.

SECTION SIX: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form in the manner provided by law.

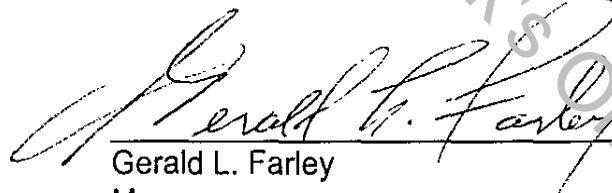
AYES: Corcoran, Hoefert, Lohrstorfer, Skowron, Wilks, Zadel

NAYS: None

ABSENT: None

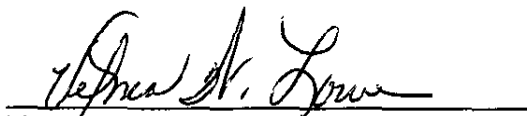
PASSED and APPROVED this 20<sup>th</sup> day of August, 2002.

0030243020



Gerald L. Farley  
Mayor

ATTEST:



Velma W. Lowe  
Village Clerk