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Eugene "Gene" Moore

Cook County Recorder of Deeds

Date: 08/03/2006 02:39 PM Pg: 1 of 167

FOR RECORDER'S USE

Stopology Ox Coop FIRST AMENDMENT TO DIVELOPMENT AGREEMENT BETWEEN VILLAGE OF PURR RIDGE AND OPUS NORTH CORPORATION (BURR RIDGE TOWN CENTER) Tort's Office

PIN:

ADDRESS:

Property commonly known as

18-30-300-028

Vacant Property - Burr Ridge Parkway &

Bridewell Drive

PREPARED & SUBMITTED BY & RETURN TO:

Karen Thomas, Village Clerk Village of Burr Ridge 7660 S. County Line Road Burr Ridge, Illinois 60527

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FIRST AMENDMENT TO DEVELOPMENT AGREEMENT BETWEEN VILLAGE OF BURR RIDGE AND OPUS NORTH CORPORATION (BURR RIDGE TOWN CENTER)

This First Amendment is hereby entered into this Amendment is hereby entered in the Amendment is

RECITALS:

- 1. The parties hereto, the Village of Burr Ridge (the "Village") and Opus North Corporation, an Illinois corporation (the "Owner") have previously entered into a certain "Development Agreement Leween Village of Burr Ridge and Opus North Corporation (Burr Ridge Town Center)" (the "Agreement"); and
- 2. The parties hereto wish to amend the Agreement in the manner set forth below.

NOW THEREFORE, in consideration of the mutual covenants and conditions set forth herein, TEN and NO/100 DOLLARS, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties hereto, it is hereby agreed as follows:

SECTION 1: That based on various changes requested by the Owner, Section One, A, 1 of the Agreement be and is hereby amended by revising the last sentence thereof to read in its entirety as follows: "If Owner elects to develop the Subject Property, then such development of the Subject Property shall be in full compliance with the

ordinances attached hereto and hereby made a part hereof as **GROUP EXHIBIT 2**, as the same may be modified from time to time by the Village."

SECTION 2: That all other references to EXHIBIT 2 in the Agreement shall be amended to incorporate in lieu thereof GROUP EXHIBIT 2 of this First Amendment (see Sections One, B, 1 and 2 and Section Two, A 3).

SECTION 3: That Section Three of the Agreement be and is hereby amended to change the title thereof to "Reimbursement to Owner and Village for Certain Costs".

SECTION 4. That Section Three, B of the Agreement be and is hereby amended by adding a new subparagraph 3 thereof reading in its entirety as follows:

It is understood and acknowledged that the Village will be incurring substantial additional police expense relative to the Owner's development of the Subject Property, including the necessity to either construct a new police facility or a substantial expansion of the current facilities. To assist the Village in doing so and in light of the fact that the Village is sharing with the Owner a suo nantial portion of the sales tax revenue from the development pursuant to the Incremental Sales Tax Rebate Agreement between the parties, the Owner will make or cause to be made a contribution relative to the transfer of title to any property located on the Subject Property (i.e., residential condominium units), as evidenced by the recordation of a deed or the assignment or transfer of the beneficial interest (A.B.I.) in said residential real property (i.e., residential condominium units) to any person/entity. The Owner will make the contribution relative to the transferring of the title to, or the assignment of the beneficial interest in, any residential real property (i.e. residential condominium units) located on the Subject Property at the rate of Five Dollars per One Thousand Dollars of value for each transfer. The Owner/Grantor of a deed conveying said residential property (i.e., residential condominium unit), or the Owner/Assignor of the beneficial interest, will make or cause to be made the

contribution set forth above. Full payment to the Village will be made before the deed or assignment can be recorded. Said payment will be receipted by the Village upon complete payment. This contribution shall apply only to and be made relative only to the initial transfer of the residential condominium units for their stated purchase price. All terms and conditions of this paragraph shall constitute covenants running with the land, until the initial transfer of all of the residential condominium units has been made.

SECTION 5: That all other provisions of the Agreement will remain in full force and effect except as modified herein, and all references to the "Agreement" in the Agreement shall automatically include and be deemed to be referring to this First Amendment as well.

SECTION 6: The Vi'lage shall incur all of its costs relative to the preparation of this First Amendment and waives its right to reimbursement thereof from the Owner.

SECTION 7: This First Amendment may be recorded with the Cook County Recorder of Deeds at Village expense.

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IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective duly authorized officers, and their respective corporate seals affixed, all as of the date set forth herein below.

Dated: **7.10.06**

VILLAGE OF BURR RADGE, a municipal corporation

Village Mayor

ATTEST:

By: Kare ST Rome
Village Clerk

Dated: 7-10-06

OPUS NORTH CORPORATION, an Illinois corporation

Deniel G. Queenan Vice President, General &

ATTEST:

By:

Its

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ACKNOWLEDGMENTS

STATE OF ILLINOIS)
COUNTY OF COOK) SS
COUNTY OF DuPAGE)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HERERY CERTIFY that Gary A. Grasso, personally known to me to be the Mayor of the Village of Burr Ridge, and Karen Thomas, personally known to me to be the Village Clerk of said municipal corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Mayor and Village Clerk, they signed and delivered the said instrument and caused the corporate seal of said municipal corporation to be affixed thereto, pursuant to authority given by the Board of Trustees of said municipal corporation as their free and voluntary act, and as the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 1044 day of 1444 2006.

Notary Public

Commission expires: 9-29-2009

OFFICIAL SEAL
SARBARA A. POPP
NOTINY PUBLIC. STATE OF ILLINOIS
MY CUMPLISSION EXPIRES 9-29-2009

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STATE OF	
I, the undersigned, a Notary Public in and for the County and State aforesaid, De HEREBY CERTIFY that Danie y Queen View President of OPUS NORTH CORPORATION, an Illinois corporation and not individually, personally known to me to the same person whose name is subscribed to the foregoing instrument as such President and appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act and as the free and voluntary act of said corporation for the uses and purposes therein second.	H o h
GIVEN under my hand and Notary Seal this 29th day of June 2006.	.>
Commission expires: 3/3/09 Commission expires: 3/3/09 Commission expires: 3/3/09	-

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Property of Cook County Clerk's Office

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ORDINANCE NO. A-834-10-05

AN ORDINANCE GRANTING A SPECIAL USE
FOR A PLANNED UNIT DEVELOPMENT
PURSUANT TO THE VILLAGE OF BURR RIDGE ZONING ORDINANCE
(Z-24-2004: 501-1201 Burr Ridge Parkway - Opus North Corporation)

WHEREAS, an application for a Special Use for a Planned Unit Development for certain real estate has been filed with the Village Clerk of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, and said application has been referred to the Plan Commission of said Village and has been processed in accordance with the Burr Ridge Zoning Ordinance; and

WHEREAS, said Plan Commission of this Village held a public hearing on the question of granting said Special Use for a Planned Unit Development beginning on December 6, 2004, and concluding on February 7, 2005, at which time all persons desiring to be heard were given the opportunity to be heard; and

WHEREAS, public notice in the form required by law was provided for said public hearing not more than 30 nor less than 15 days prior to said public hearing by publication in the Suburban Life, a newspaper of general circulation in this Village, there being no newspaper published in this Village; and

WHEREAS, the Village of Burr Ridge Plan Commission has made its report on the request for a Special Use for a Planned Unit Development, including its findings and recommendations, to this President and Board of Trustees, and this President and Board of Trustees has duly considered said report, findings, and recommendations.



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NOW THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, as follows:

Section 1: All Exhibits submitted at the aforesaid public hearing are hereby incorporated by reference. This President and Board of Trustees find that the granting of a Special Use for a Planned Unit Development indicated herein is in the public good and in the best interests of the Village of Burr Ridge and its residents, and is consistent with and fosters the purposes and spirit of the Burr Ridge Zoning Ordinance as set forth in Section II thereof.

Section 2: That this President and Board of Trustees, after considering the report, findings, and recommendations of the Plan Commission and other matters properly before it, in addition to the findings set forth in Section 1, Tinds as follows:

- A. That the Petitioner for the Special Use for a Planned Unit Development (PUD) for the property located at 501-1201 Burr Ridge Parkway, Burr Ridge, Illinois, is Opus North Corporation (hereinafter "Petitioner"). The Petitioner requests special use approval for a Planned Unit Development to provide for a mixed use town center with retail, residential, and office uses in a traditional pedestrian environment.
- B. That the PUD will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood. The developer has caused to be prepared fiscal studies, market studies, traffic studies, and planning studies indicating that the proposed town center will enhance the value of properties in the area and throughout the Village. The terms and conditions outlined herein ensure that traffic improvements and other improvements are made that will diminish or preclude any negative impacts caused by the proposed development.
- C. That the establishment of the PUD will not impede the normal and orderly development and improvement of

surrounding property for uses permitted in the district. On the contrary, the PUD will facilitate the development of the surrounding area by creating an attractive amenity within the Burr Ridge Corporate Park and adding to the economic vitality of the area.

- D. That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided. The developer has caused to be prepared traffic studies and stormwater management plans that ensure such facilities will be adequate. Final engineering plans for these facilities as well as for utilities will be provided in the final PUD plan review process.
- E. That adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic congestion in the public streets. The terms and conditions of the PUD ensure that adequate provisions will be made for ingress and egress and that negative impacts on adjacent and surrounding streets will be eliminated or minimized.
- F. That the PUD shall in all other respects conform to the applicable regulations of the Burr Ridge Zoning Ordinance for the district in which it is located.

Section 3: That approval of a PUD and a special use is hereby granted to provide for a mixed use town center with retail, residentialm and office uses in a traditional pedestrian environment. The property is located at 502-1201 Burr Ridge Parkway and is legally described as follows:

That part of the West 1/2 of Section 30, Township 38 North, Range 12, East of the Third Principal Meridian, descried as follows: Commencing at the intersection of the Scutherly line of permanent easement for highway purposes (Interstate Route 55) per instrument recorded August 12, 1959 as Document No. 17627674, with the Westerly line of Burr Ridge Parkway in Burr Ridge Park Unit 1, being a Subdivision in the West 1/2 of Section 30, aforesaid, according to the plat thereof recorded January 3, 1984 as Document No. 26915064; the following three courses are along the Westerly line of said Burr Ridge Parkway; Thence Southerly along a curved line convex Easterly and having a radius of 690.00 Feet, an arc distance of 642.83 Feet to a point of tangency in said line; Thence South 34 Degrees 14 minutes 40 Seconds West along a line tangent to said last described curved line at said last described point, 81.30 Feet to a point of curvature in said line; Thence Southwesterly along a curved line convex Northwesterly, having a radius of 865.00 Feet

and being tangent to said last described line at said last described point, an arc distance of 274.49 Feet to a point for a place of beginning: Thence North 51 Degrees 06 Minutes 52 Seconds West, 94.61 Feet; Thence North 80 Degrees 06 Minutes 52 Seconds West, 426.44 Feet to a point on the Easterly line of the permanent easement for highway purposes as per instrument recorded August 12, 1959 as Document No. 17627674, said point being 3644.26 Feet North and 1888.33 Feet West of the Southeast Corner of the West 1/2 of said Section 30, as measured along the East line thereof and along a line at Right angles thereto; The following five courses are along the Easterly line of said permanent easement for highway purposes: Thence South 28 Degrees 39 Minutes 26 Seconds West, 108.94 Feet; Thence South 54 Degrees 06 Minutes 58 Seconds West, 363.45 Feet; Thence South 45 Degrees 34 Minutes 39 Seconds West, 173.08 Feet; Thence South 27 Degrees 07 Minutes 58 Seconds West, 185.31 Feet; Thence South 09 Degrees 38 Minutes 57 Seconds West, 408.76 Feet to an angle point in said line; Thence South 00 Degrees 00 Minutes 34 Seconds West along the Easterly line of said permanent Easement for highway purposes per document no: 17627674, to an intersection with the Northeasterly line of Frontage Road according to the Plat of Dedication recorded March 19, 1985 as Document No. 27479279;) the following five courses are along the Northeasterly line of said Frontage Road; Therce Southeasterly along -a curved line convex Southwesterly and having a radius of 375.00 Feet, an arc distance of 222 70 Feet to a point of tangency in said line; Thence South 50 Degrees 16 Minutes 35 Seconds East along a line tangent to said last described curved line at said last described point, 303.98 Feet to a point of curvature in said line; Thence Southeasterly along a curved line convex Northeasterly and having a radius of 425.00 Feet, an arc distance of 231.81 Feet to a point of tangency in said line; Thence South 19 Degrees 01 Minutes 32 Seconds East along a line tangent to said last described curved line at said last described point, 115.88 Feet to a point of curvature in said line; Thence Southeasterly along a curved line convex Southerly and having a radius of 30.00 Feet, an arc distance of 49.57 Feet to a point of compound curvature with the Westerly line of Burr Ridge Parkway in said Burr Ridge Park Unit 1; the following Five Courses are along the Westerly line of Burr Ridge Parkway in said Burr Ridge Park Unit 1: Thence Northeasterly along a curved line convex Southeasterly and having a radius of 705.00 Feet, an arc distance of 547.22 Feet to a point of tangency in said line; Thence North 21 Degrees 50 Minutes 04 Seconds East along a line tangent to said last described curved line at said last described point, 363.20 Feet to a point of curvature in said line; Thence Northerly along a curved line convex Easterly and having a radius of 675.00 Feet, an arc distance of 321.83 Feet to a point of tangency in said line; Thence North 05 Degrees 29 Minutes 00 Seconds West along a line tangent to said last described curved line at said last described point, 279.36 Feet to a point of curvature in said

last line; Thence Northerly along a curved line convex Westerly and having a radius of 865.00 Feet, an arc distance of 325.28 Feet to the point of beginning, in Cook County, Illinois.

Except that part described as follows:

That part of the West 1/2 of Section 30, Township 38 North, Range 12 East of the Third Principal Meridian, described as follows: Commencing at the intersection of the Southerly line of the permanent easement for highway purposes (Interstate Route 55) per instrument recorded August 12, 1959 as Document Number 17627674, with the Westerly line of Burr Ridge Parkway in Burr Ridge Park Unit 1, being a subdivision in the West 1/2 of Section 30, aforesaid, according to the plat thereof recorded January 3, 1984 as Document Number 26915064; the following seven courses are along the Westerly line of said Burr Ridge Parkway; thence Southerly along a curved line convex Easterly and having a radius of 690.00 feet, an arc distance of 642.83 feet to a point of tangency in said line; thence South 34 degrees 14 minutes 40 seconds West along a line tangent to last described curved line at said last described point 81.30 feet to a point of curvature in said line, thence Southwesterly along a curved line convex Northwesterly, having a radius of 865.00 feet and being tangent to said last described line at said last described point, an arc distance of 599.77 feet to a point of tangency in said line; thence South 05 degrees 29 minutes 00 seconds East along the Westerly line of said Burr Ridge Drive, being tangent to said last described curved line at said last described point, 279.36 feet to a point of curvature in said line; thence Southerly along the Westerly Line of said Burr Ridge Parkway, being a curved line convex Easterly and having a radius of 675.00 feet, an arc distance of 321.83 feet to a point of tangency in said line; thence South 21 degrees 50 minutes 04 seconds West along the Westerly line of said Burr Ridge Parkway, 363.20 feet to point of curvature in said line; thence Southwesterly along the Westerly line of said Burr Ridge Parkway, being A curved line convex Southeasterly and having a radius of 705.00 feet, an Arc distance of 547.22 feet to a point of compound curvature, said point being the intersection of said Westerly line with the Northeasterly line of Frontage Road according to the plat of dedication recorded March 19, 1985 as Document Number 27479279; the following four courses are along the Northeasterly line of said Frontage Road; thence Westerly along a curved line convex Southerly and having a radius of 30.00 feet, an arc distance of 49.57 feet to a point of tangency in said line; thence North 19 degrees 01 minutes 32 seconds West, 115.88 feet to a point of curvature in said. line; thence Northwesterly along a curved line convex Northeasterly and having a radius of 425.00 feet, an arc distance of 231.81 feet to a point of tangency in said line; thence North 50 degrees 16 minutes 35 seconds West, 4.75

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feet to a point for a place of beginning; thence continuing. Northwesterly along the Northeasterly line of said Frontage Road North 50 degrees 16 minutes 35 seconds West, 299.22 feet to a point of curvature; thence Northwesterly along the Northeasterly line of said Frontage Road, being a curved line convex Southwesterly, having a radius of 375.00 feet and being tangent to said last described line at said last described point, an arc distance of 222.70 feet to an intersection with the Easterly line of the permanent easement for highway purposes per instrument recorded August 12, 1959 as Document Number 17627674; the following three courses are along the Easterly line of said permanent easement for highway purposes; thence North 00 degrees 00 minutes 34 seconds East, 77.70 feet, thence North 09 degrees 38 minutes 57 seconds East, 408.76 feet; thence North 27 degrees 07 minutes 58 seconds East, 62.76 feet to a point on said Easterly line of said permanent easement for highway purposes; thence South 80 degrees 21 minutes 03 seconds East, 603.4% feet; thence South 09 degrees 38 minutes 57 seconds West, 256.92 feet; thence Southwesterly, Southerly and Southeasterly along a nontangential curved line convex Westerly and having a radius of 50.00 feet, having a chord bearing of South 09 degrees 38 minutes 57 seconds West, an arc distance of 164.29 feet; thence South 09 degrees 38 minutes 57 seconds West along a line not tangent to last described curved line, 153.30 feet; thence South 40 degrees 14 minutes 07 seconds West, 394.86 feet to the point of beginning, in Cook County, Tilinois.

PERMANENT REAL ESTATE INDEX NUMBER: 18-30-300-028

Section 4: That the approval of this PUD and special use is subject to compliance with the following terms and conditions:

- A. A preliminary plan for a Planned Unit Levelopment is granted as per Section XIII.L.2.c of the Burr Ridge Zoning Ordinance. The preliminary plan approval is based on the concept of a mixed use (i.e. retail, residential, and office), pedestrian-oriented "town center". The following exhibits are intended to depict the general character of the development:
 - 1) Exhibit A: "Site Plan" depicting the general concept of the development including but not limited to:
 - i) The approximate location of buildings, surface parking, deck parking, underground parking, pedestrian areas, a town square, a decorative and functional traffic circle, and other features;
 - ii) Identifying each building by number;
 - iii) Indicating the use of each building including retail uses, residential uses, offices, and

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- full-service, quality restaurants;
- iv) Identifying access points with cross access to the adjoining health and fitness club; and
- v) Depicting service areas including trash collection and loading enclosed within the buildings and accessed from the internal, private street.
- 2) <u>Exhibit B</u>: "Second Floor Plan" depicting the location of second floor offices, parking, and residential units.
- 3) Exhibit C: "Underground Parking Plan" depicting the location and configuration of underground parking in Buildings 1, 6, and 7.
 - 4) Exhibit D: Exhibit Removed
 - 5) Exhibit E: "Section AA" depicting the street and sidewalk dimensions between Buildings 4 and 5 and the approximate heights of Buildings 4 and 5.
 - 6) Exhibit F "Section BB" depicting the street, sidewalk, and courtyard dimensions within the courtyard of building 7 and the approximate height of Building 7.
 - 7) Exhibit G: "Section CC" depicting the distance from Building 4 to Buir Ridge Parkway, the 8-foot sidewalk along Burr Ridge Parkway, and the configuration of a possible outdoor seating area along Burr Ridge Parkway.
 - 8) Exhibit H: "Section DD" depicting the Lincolnshire Drive entry to the town center, the street and sidewalk dimensions between Buildings 1 and 4, and the approximate heights of Buildings 1 and 4.
 - 9) Exhibit I: "Section EE" depicting the street and sidewalk dimensions between Buildings 1 and 3 and the heights of Buildings 1 and 3.
 - 10) Exhibit J: "Section FF" depicting the street, sidewalk, setback dimensions between Building 1 and Bridewell Drive including an 8-foot sidewalk and a minimum 20-foot separation between the building and the street.
 - 11) Exhibit K: "Exhibit GG" depicting the minimum setbacks of Buildings 1, 2, 4, and 6 from Burr Ridge Parkway and Building 7 from Bridewell Drive.
 - 12) Exhibit L: "Burr Ridge Parkway Building 1" depicting the general architectural character of

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the Burr Ridge Parkway façade of Building 1 and the general architectural character of buildings throughout the town center including the use of masonry and glass materials, recessed balconies for residential units, and the configuration of windows, doors, and other architectural features. It is acknowledged that the absolute height and the final architecture of Building 1 is subject to further review during final PUD plan consideration with the intent that the architecture should minimize the appearance of the building's height while still allowing Building 1 to contain four stories.

- Exhibit M: "Burr Ridge Parkway Building 4" depicting the general architectural character of the Burr Ridge Parkway façade of Building 4 and the general architectural character of buildings throughout the town center including the use of masonry and glass materials, recessed balconies for residential units, and the configuration of windows, coors, and other architectural features.
- B. The proposed development shall comply with the attached Exhibits A through N except as specifically modified herein or as may be approved by the Village during the final plan approval process. The final PUD plans shall be subject to the review of the Plan Commission and approval by the Board of finstees as per Section XIII.L.2.d of the Burr Ridge Zoning Ordinance. The final PUD plans listed below may be submitted all at one time or may be submitted independently as may be established under the phasing place. Consideration of the final PUD approvals shall include the following plans and documents:
 - Phasing plan and construction schedule to include the following specifications:

i) The first phase shall include either Buildings 2, 3, 4, or 5;

ii) The shell and core of at least three of the six retail buildings (Buildings 1-6) shall be completed prior to occupancy of the proposed residential building (Building 7);

iii) The expected schedule for beginning and ending of each phase;

- iv) A building permit will not be issued for Buildings 1, 2, 3, 4, 5, or 6 until such time that a minimum of 30% of the ground floor area of the building for which a building permit application has been requested is the subject of an executed lease agreement(s) or letter(s) of intent with at least one key anchor tenant;
- v) A building permit will not be issued for

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Building 7 until such time that a minimum of 30% of the residential units are the subject of a contract to purchase.

vi) A schedule for completion of final roadway improvements referenced in sub-section J below.

- 2) Final site plan(s).
- Building elevations.
- Design guidelines including specifications for signs, building exteriors, and streetscape improvements.
- Landscaping plan(s) including but not limited to interior landscaping, parking lot landscaping, and perimeter landscaping. Perimeter landscaping to include landscaping along Burr Ridge Parkway and landscaping screening of the west side of the buildings as viewed from the adjacent health and fitness club.
- Streetscape plan(s) for Burr Ridge Parkway and the proposed into ior street including street and sidewalk configurations, paving and surfacing materials, street furniture and landscaping, street and sidewalk lighting, and areas for outside display or restaurant seating.
- 7) Sign plans including business identification signs, entryway monument signs, and traffic signs for private and public streers including a detailed way finding sign program.
- 8) Security plan including parking enforcement and safety program.
- Maintenance plan including maintenance of landscaping areas, the private street, parking areas, buildings exteriors, and snow removal.
- 10) Parking management plan including but not limited to regulations pertaining to on-street parking, overnight parking, residential visitor parking, employee parking, and descriptions of private enforcement of parking regulations.
- C. The proposed interior street shall be a private street with easements accommodating public access. An easement allowing public use of the town square located at the north end between Buildings 5 and 6 shall be provided and shall include limitations on the retail kiosks in a manner consistent with the site plan attached as **Exhibit A** and provisions for public events

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and activities to be scheduled by the Village of Burr Ridge. Final details regarding the easements and the public use of these privately owned areas shall be provided with the final PUD plans referenced above.

- D. The design and construction of all parking areas shall comply with the regulations contained in Section XI and Appendix V of the Burr Ridge Zoning Ordinance.
- E. Final PUD Plans shall provide details regarding the buildings and streetscape along Burr Ridge Parkway with said buildings and streetscape designed to create an attractive and pedestrian-oriented environment including the following:
 - Buildings 1, 2, 4, and 6 shall be designed in a manner to create an attractive appearance from Burr Ridge Parkway. Architectural features shall include the extensive use of windows, articulation of rasonry materials, extension of storefronts at the building corners, and landscaping in a manner comparable to the building elevations attached hereto as **Exhibits L and M**.
 - There shall be no trash, loading, or other service areas located on the Burr Ridge Parkway side of the buildings. All such service areas shall be accessed via recessed, internal service areas as depicted on **Exhibit P**.
 - There shall be an 8-foot-wide sidewalk between the buildings and Burr Ridge Parkway with the final location and design details to be considered at the time of final PUD plan approval.
 - 4) There shall be street trees and other landscaping provided along Burr Ridge Parkway with final details to be considered at the time of final PUD plan approval.
 - 5) There shall be street furniture or other pedestrian-oriented amenities provided at key intersections along Burr Ridge Parkway with final details to be considered at the time of final PUD plan approval.
- F. Buildings 1 and 6 shall be limited to four stories with retail on the first floor and residential on three floors above the retail and subject to the following terms and conditions:
 - Permitted uses for Buildings 1 and 6 shall be limited to those uses listed on the attached Exhibit N. Those uses listed as Special Uses in Exhibit N shall require special use approval as

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per Section XIII of the Burr Ridge Zoning Ordinance.

- The dwelling units in Buildings 1 and 6 shall 2) contain the common area features and unit amenities listed in the attached $\underline{\textbf{Exhibit 0}}$ or equivalent features and amenities.
- Building 1 shall contain approximately 25,000 3) square feet of retail floor area, 75,000 square feet of residential floor area, and a maximum of 54 dwelling units.
- Building 6 shall contain approximately 30,000 square feet of retail floor area, 90,000 square feet of residential floor area, and a maximum of 66 dwelling units.
- Each dwelling unit in Buildings 1 and 6 shall have 5) one or more bedrooms and the units shall have the following minimum floor areas:
 - A mirimum of 1,000 square feet for one bear or units; the number of one-bedroom units small not exceed 24.
 - A minimum of 1,200 square feet for two bedroom units;
 - iii) A minimum of 1,750 square feet for units with three or more bedrooms;
 iv) An overall average floor area of 1,250 square
 - feet or more per dwelling unit.
- Building 7 shall be limited to four-stories consisting G. of indoor parking and luxury multiple-family residences and subject to the following:
 - 1) The total number of residential units in Building 7 shall not exceed 59.
 - Building 7 shall contain the common area features 2) and unit amenities listed in the attached Exhibit ${f P}$ or equivalent features and amenities.
 - Each dwelling unit in Building 7 shall have two or 3) more bedrooms and the units shall have the following minimum floor areas:
 - A minimum of 1,650 square feet for two bedroom units.
 - A minimum of 2,200 square feet for three bedroom units.
 - iii) An overall average floor area of 2,000 square feet or more per dwelling unit.
- Buildings 2 and 4 shall be limited to two-stories with Η. retail on the first floor and offices or retail on the second floor and subject to the following terms and

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conditions:

- Permitted uses for Buildings 2 and 4 shall be limited to those uses listed on the attached **Exhibit Q**. Those uses listed as Special Uses in **Exhibit Q** shall require special use approval as per Section XIII of the Burr Ridge Zoning Ordinance.
- Permitted uses on the second floor of Buildings 2 and 4 shall be limited to those uses listed on the attached **Exhibit R**.
- Building 2 shall contain approximately 34,000 square feet of retail floor area on the first floor and 17,000 square feet of floor area on the second floor.
- 4) Building 4 shall contain approximately 31,450 square feet of retail floor area on the first floor and 16,000 square feet of floor area on the second floor.
- I. Buildings 3 and 5 shall be limited to two-stories with retail on the first floor facing the proposed street and parking on the first and second floors behind and above the retail subject to the following terms and conditions:
 - Permitted uses for Buildings 3 and 5 shall be limited to those uses listed on the attached **Exhibit R**. Those uses listed as Special Uses in **Exhibit R** shall require special use approval as per Section XIII of the Burr Ridge Zoning Ordinance.
 - 2) Building 3 shall contain approximately 40,650 square feet of retail floor area.
 - 3) Building 5 shall contain approximately 50,150 square feet of retail floor area.
- J. The development shall be subject to the roadway improvements described in the attached **Exhibits S**through W and referenced below. Final phasing and final engineering details of the roadway improvements shall be determined in conjunction with the approval of the final PUD phasing plan referenced herein.
 - 1) Exhibit T: Extension of $71^{\rm st}$ Street to Wolf Road including traffic signal and lane reconfigurations on Wolf Road and realignment of Bridewell and $71^{\rm st}$ Street at $72^{\rm nd}$ Street.
 - 2) Exhibit U: County Line Road southbound dual left

turn lane extension at Bridewell Drive including County Line Road widening to accommodate turn lane extension.

- 3) **Exhibit U:** Burr Ridge Parkway roadway widening and lane reconfigurations County Line to Bridewell.
- 4) Exhibit U: Supplemental traffic directional signage on County Line Road and Burr Ridge Parkway.
- 5) Exhibit V: Traffic signal at Burr Ridge Parkway and Bridewell Drive with interconnect to County Line Road signal and with lane reconfigurations.
- Exhibit V: Lane reconfiguration on Bridewell Drive at south access drive including raised median and right-in/right-out turn restrictor at south access drive.
- 7) Exhibit V: North and southbound left turn lanes on Burr Ridge Parkway at Lincolnshire Drive.
- 8) Exhibit W: Northbound left turn lane on Burr Ridge Parkway at Center Access Drive (LifeTime Fitness Drive).
- 9) Exhibit W: North and southbound left turn lanes on Burr Ridge Parkway at McClintock Drive.
- K. The development shall be subject to compliance with applicable Village of Burr Ridge stormwater management regulations as delineated in the attached Exhibits X, Y, and Z.
- L. The condominium declaration and covenants for all the residential units shall contain a binding limitation on the rental of units, such limitation to be subject to the approval of the Village and it being the intent to limit the rental of such units in the most restrictive manner feasible.

Section 5: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law. The Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form.

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PASSED this 11th day of April, 2005, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES:

5 - Trustees Paveza, Grasso, Pallat, Cizek,

and Sodikoff

NAYS:

0 - None

ABSENT:

1 - Trustee Rohner

APPROVED by the President of the Village of Burr Ridge on ril, 2
Ox
Coot
County Clents
Office this 11th day of April, 2005.

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PAMPHLET

FRONT OF PAMPHLET

ORDINANCE NO. A-834-10-05

ORDINAN AN ORDINANCE GRANTING A SPECIAL USE FOR A PLANNED UNIT DEVELOPMENT PURSUANT TO THE VILLAGE OF BURR RIDGE ZONING ORDINANCE (Z-24-2004: 501-1201 Burr Ridge Parkway - Opus North Corporation) st lort's Orgica

Published in pamphlet form this $11^{\rm th}$ day of April, 2005, by Order of the Corporate Authorities of the Village of Burr Ridge, Cook and DuPage Counties, Illinois.

Vallage Clerk

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PAMPHLET

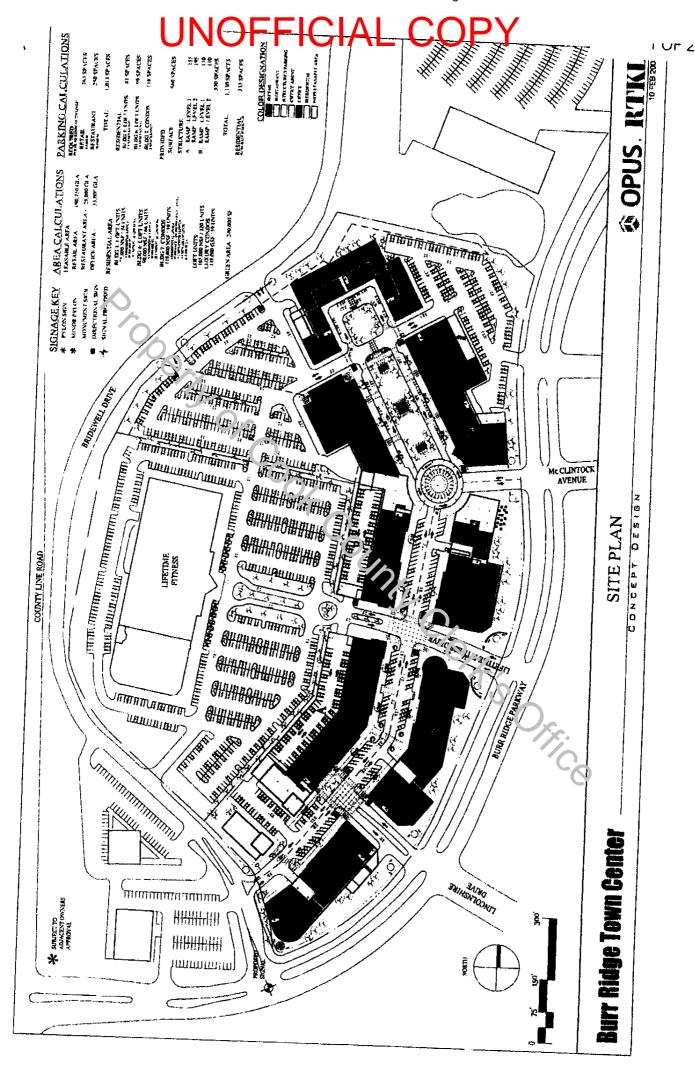
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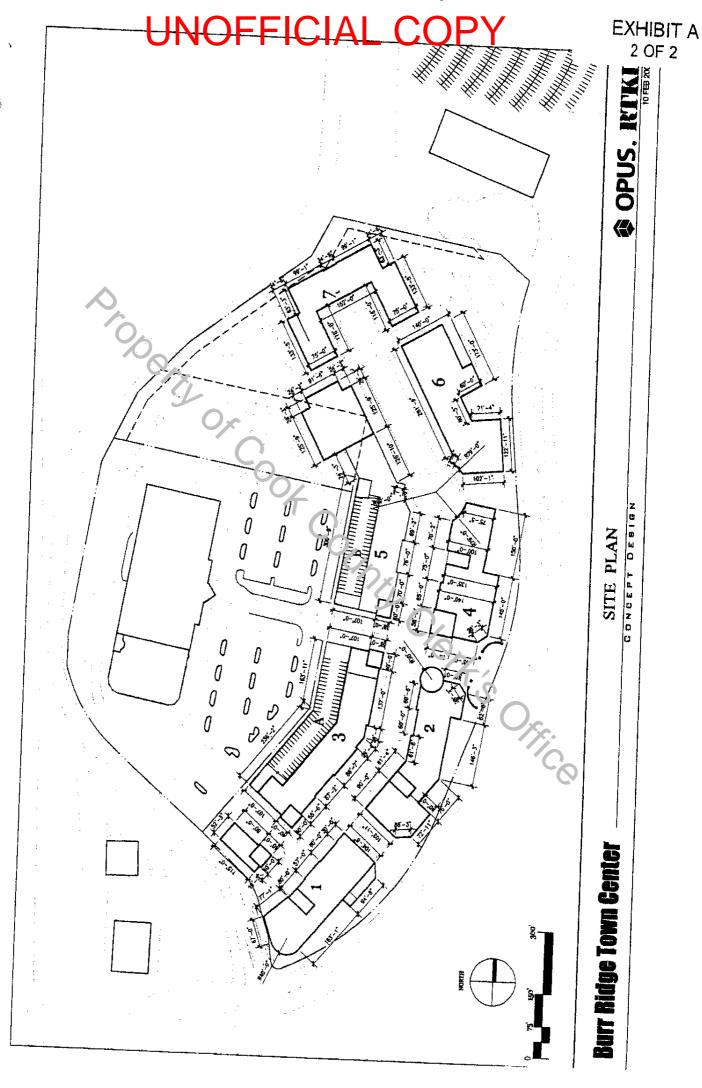
AN ORDINANCE GRANTING A SPECIAL USE FOR A PLANNED UNIT DEVELOPMENT PURSUANT TO THE VILLAGE OF BURR RIDGE ZONING ORDINANCE (Z-24-2004: 501-1201 Burr Ridge Parkway - Cous North Corporation) SOME OF THE OR

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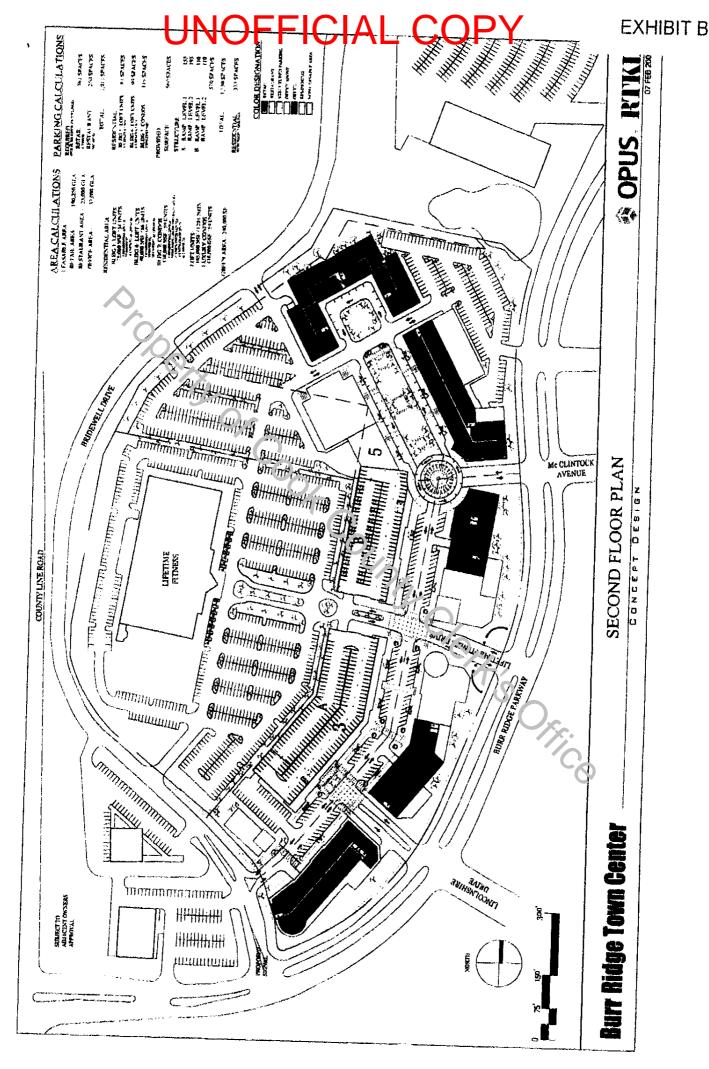
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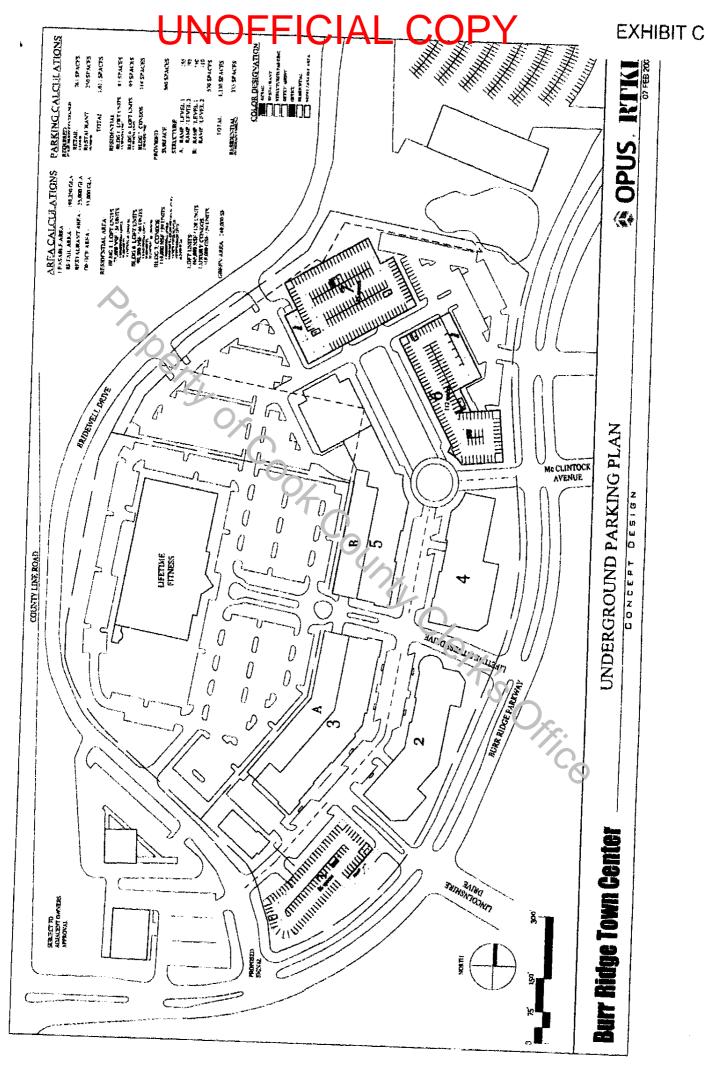
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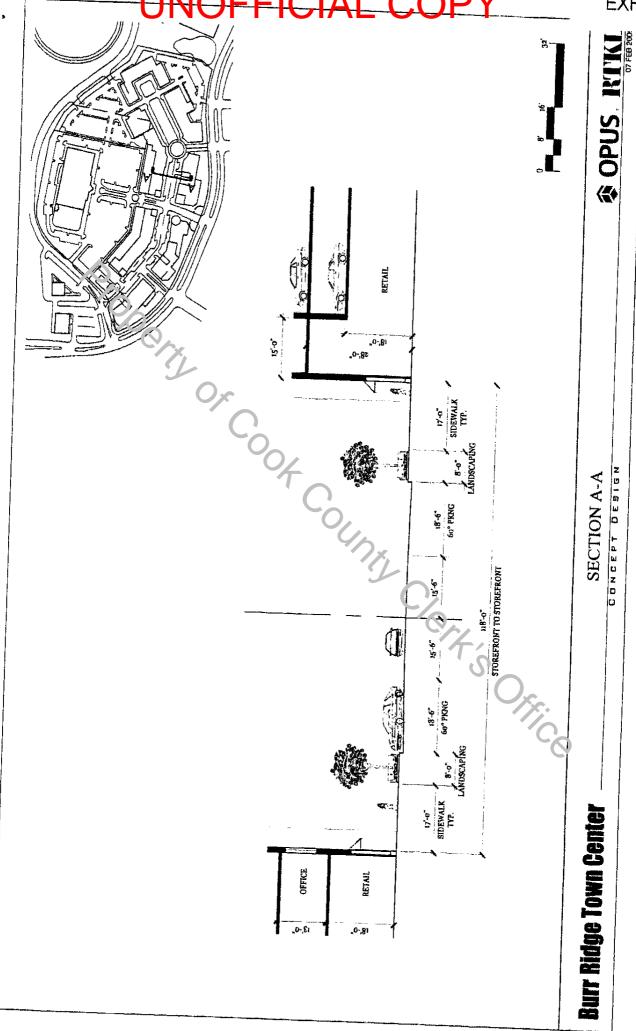


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EXHIBIT E



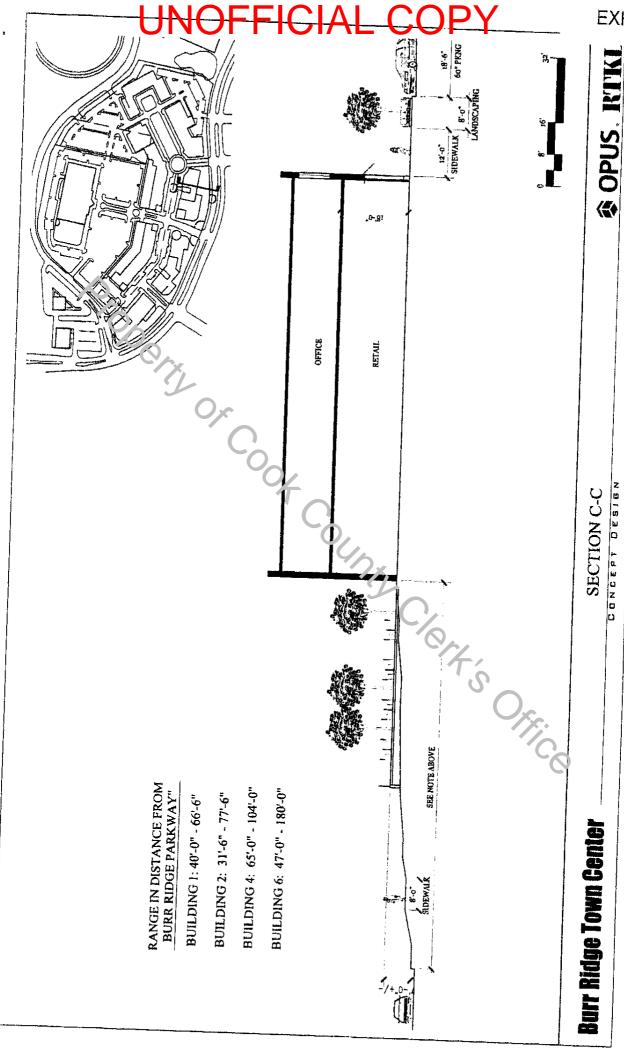
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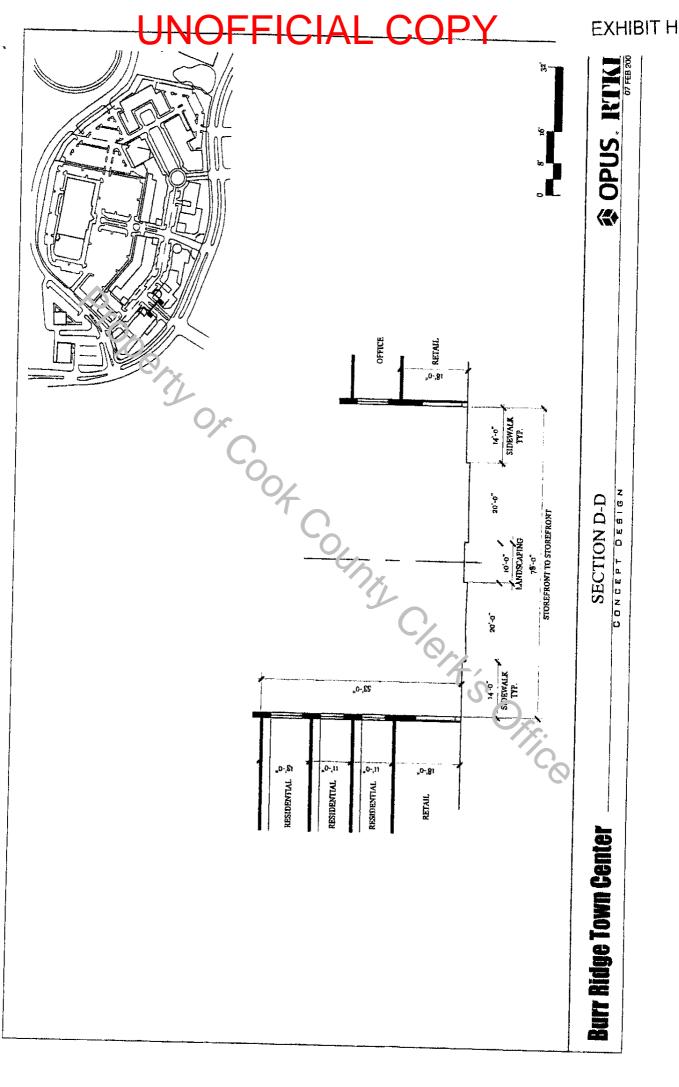
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EXHIBIT G ♦ OPUS, RITKI CONCEPT DEBIGN SECTION C-C



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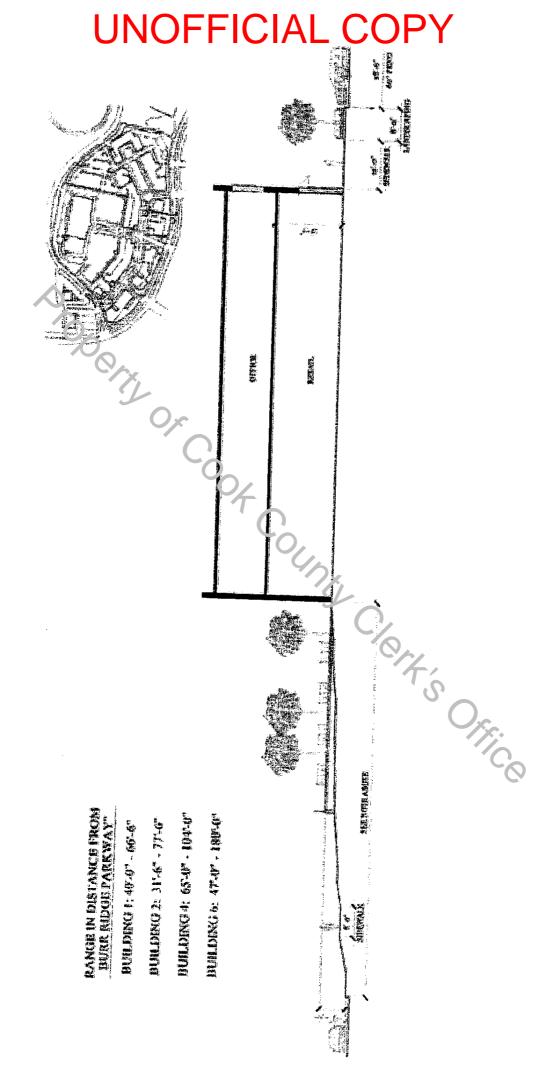
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EXHIBIT I

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EXHIBIT J SECTION F-F Burr Ridge Town Center



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EXHIBIT L

IKITKI OFFEB 200

OPUS

Burr Ridge Parkway - Building

CONCEPT DESIGN

Burr Ridge Town Center

DOO PA County Clarks Office

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DOO OX

EXHIBIT M

* OPUS

Burr Ridge Parkway - Building 4 Sound Clark's Office

Burr Ridge Town Center

Exhibit N

Permitted and Special Uses for the First Floor of Buildings 1 and 6

1. Permitted Uses:

The following uses shall be permitted on the first floor of Buildings 1 and 6 subject to the issuance of a Zoning Certificate of Occupancy:

- A. Antique shops with less than 7000 square feet of floor area
- B. Art Galleries
- Art and School Supply Stores
- D. Barber Shops
- E. Bicycle sales, including rental and repair and service functions where incidental to retail sales or rentals
- F. Book stores and stationery shops
- G. Camera and photographic supply stores
- H. Candy stores, not in the ding processing or production of food or candy
- I. Card and gift shops
- J. Carpet and rug stores (retail only) with less than 7,000 square feet of floor area
- K. China, glassware and household gcods stores
- L. Clothing, clothing rental, and clothing accessory stores
- M. Coin and philatelic stores
- N. Computer, business machine and office equipment stores, including repair and service functions where incidental to retail sales
- O. Craft, fabric, and sewing stores
- P. Dry cleaning or laundry receiving establishment (processing to be lone off-site)
- Q. Florist shops
- R. Furniture stores
- S. Furrier shops
- T. Garden, landscape, and patio stores
- U. Hardware or home improvements stores with less than 7,000 square feet of floor area
- V. Hobby shops (not including video game parlors or arcades)
- W. Household appliance stores (including repair and service functions where such activities are incidental to the retail sales function)
- X. Interior decorating shops
- Y. Jewelry stores, including watch repairs, design and production of custom jewelry

Exhibit N

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- Z. Leather goods and luggage stores
- AA. Office/Sales Center for management and/or marketing of residential units in Buildings 1, 6, or 7.
- BB. Office supply and service stores including copying and package delivery services with less than 7000 square feet of floor area
- CC. Permitted or Special Uses with hours of operation not exceeding 7 AM to 10 PM.
- DD. Pharmacies and Drug Stores
- EE. Photography studios
- FF. Picture framing, when conducted for retail sales on the premises only
- Post Offices, federal government, freestanding or accessory to another use
- HH. Shoe sales and shoe repair stores
- II. Sporing goods stores
- JJ. Tailor and dressmaking shops
- KK. Toy stores
- LL. Video rental stores

2. Special Uses:

The following special uses may be allowed on the first floor of Buildings 1 and 6 in accordance with the special use procedures outlined in Section XIII of the Village of Burr Ridge Zoning Ordinance:

- A. Antique shops with more than 7000 square feet of floor area
- B. Banks and Financial Institutions without drive-through facilities
- C. Beauty and Health Services
- D. Convenience Food Stores
- E. Child Care Centers and Nursery Schools
- F. Any permitted or special use with hours of operation exceeding / A.M. to 10 P.M.
- G. Offices open to the public and providing services directly to consumers including but not limited to real estate offices and travel agencies.
- H. Office supply and service stores including copying and package delivery services with more than 7000 square feet of floor area
- I. Outside sales display accessory to a permitted or special use
- J. Plumbing, heating, air conditioning, and lighting stores (retail sales and service only)
- K. Specialty restaurants such as coffee shops and ice cream shops with limited on-site food preparation and without drive-through facilities or the sale of alcoholic beverages
- L. Tobacco Shops

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EXHIBIT O

TYPICAL STANDARD FEATURES

BUILDING FEATURES AND SERVICES

- Modern lobby
- Wired for high-speed Internet connections
- Secured heated parking garage with car wash area
- Private resident storage in parking garage
- Spacious balconies and terraces per plan
- Package delivery room
- Bicycle storage area
- Grocery delivery storage room
- Two passenger elevators
- Dry cleaning pickup

INTERIOR AMENITIES

- 9 to 10 foot high ceilings
- Spanious walk-in closets per plan
- and vood floors in main living areas
- Premium carpeting in bedrooms
- Soud ore doors throughout
- Launday or on -up in all homes
- Individually out tolled air-conditioning and heating
- Prewired for .ur. ornd sound and intercom
- Decora switches
- Lighting fixture allowance

KITCHENS

- Granite kitchen countertops per plan
- Stunning hardwood floors
- Island and peninsula work areas per plan
 - 42 foot designer maple or oak cabinets in many styles
- GE stainless steel appliances including:
 - 22 cu. Ft. side-by-side refrigerator
 - Self-cleaning gas range
 - Spacesaver microwave
 - Deluxe dishwasher
- Kohler double bowl drop-in stainless steel sink
- Kohler chrome faucet with pullout sprayer
- ½ hp Insinkerator disposal

BATHS

- Five-foot soaking tub
- Six by six inch tile, shower and tub
- Polished chrome framed shower with glass door
- Solid-color Corian countertop with drop-in sinks in Master Bath
- Integral bowl, cultured marble top in Bath 2
- Kohler chrome widespread faucets
- Kohler pedestal sink in powder room
- Twelve by twelve inch ceramic tile floors in several colors
- Designer, raised-height cabinets throughout
- Spacious linen closets per pian

TYPIC LL L'PGRADES

- Gas fireplace
- Built in entertainment centers
- Built in plasma screen TV
- Multiple materials (wood, carpet, tile)
- Special millwork package
- Special lighting package
- Art niche and shelving

- Appliance upgrades
 - Warming drawers
 - Wine refrigerators
- Puilt in espresso machines
- Interior brick accent wall

EXHIBIT P

STANDARD FEATURES

BUILDING FEATURES AND SERVICES

- Elegant lobby
- Wired for high-speed Internet connections
- Saure heated parking garage with resident storage and car wash area
- Package delivery room
- Groce, v delivery storage room
- Two passer, ger elevators
- Dry cleaning zackup

INTERIOR AMENITIES

- 9 to 10 foot high ceilings
- Huge walk-in closets per plui
- Twelve by twelve inch ceramic tile or hardwood in entry foyer and powder room per plan
- Premium carpeting in living room, and ing room and bedrooms per plan
- Solid core, 2-panel doors in bedrooms and bathrooms
- Private balcony or terrace per plan
- Laundry hook-up in all homes
- Individually controlled air-conditioning and heating
- Water and gas included
- Decora switches
- Lighting fixture allowance

KITCHENS

- Granite kitchen countertops per plan
- Twelve by twelve inch ceramic tile or hardwood floors
- 42 foot designer maple or oak cabinets in many styles
- GE stainless steel appliances including:
 - · 22 cu. Ft. side-by-side refrigerator
 - Self-cleaning gas range
 - Spacesaver microwave
 - Deluxe dishwasher
- Kohler double bowl under mount stainless steel sink
- Kohler chrome faucet with pullout sprayer
- ½ hp Insinkerator disposal

BATHS

- Five-foot soaking tub
- Six by six inch tile, shower and tub surround in several colors
- Polished chrome framed shower with glass coor
- Oual marble vanity countertop with dropin s.nks.ip Master Bath
- Integral rowl, cultured marble top in Bath 2
- Kohler chronic widespread faucets
- Kohler pedestal sink in powder room
- Designer, raised-heigh, cabinets throughout
- Twelve by twelve inch corpore tile floors in several colors
- Spacious linen closets per plan

TYPICAL UPGRADES

- Gas fireplace
- Built in entertainment centers
- Built in plasma screen TV
- Multiple materials (wood, carpet, tile)
- Special millwork package
- Special lighting package
- · Art niche and shelving

- Appliance upgrades
- Warming drawers
- Wine refrigerators
- Built in espresso machines
- Interior brick accent wall

Ordinance No. A-834- -05

Exhibit Q

Permitted and Special Uses for the First Floor of Buildings 2, 3, 4, and 5

1. Permitted Uses:

Any use listed as a permitted use on the first floor of Buildings 1 and 6 shall be considered a permitted use on the first floor of Buildings 2, 3, 4 and 5 subject to the issuance of a Zoning Certificate of Occupancy. In addition, any of the following uses shall be permitted on the first floor of Buildings 2, 3, 4 and 5 subject to the issuance of a Zoning Certificate of Occupancy.

- A. Bakeries (retail sales and not more than 70 percent of the floor area may be devoted by the production or processing of bakery goods)
- B. Candy stores
- C. Delicate sens (packaged and/or prepared food for consumption on or off premises)
- D. Food Stores, including grocery stores, supermarkets, meat markets, health food stores, fruit and vegetable stores, bulk food stores, and other similar establishments
- E. Music stores including sheet music, recorded music, and musical instrument sales and repair
- F. Permitted or Special Uses with hours of operation not exceeding 6 AM to 12 Midnight
- G. Restaurants in multi-tenant buildings (including specialty restaurants such as donut shops and ice cream shops) and without any of the following: live entertainment, dancing, or sales of alcoholic beverages
- H. Studios for teaching of art, martial arts, music dance, and gymnastics

2. Special Uses:

Any use listed as a special use on the first floor of Buildings 1 and 6 shall be considered a special use on the first floor of Buildings 2, 3, 4 and 5 in accordance with the procedures outlined in Section XIII of the Village of Burr Ridge Zoning Ordinance. In addition, the following uses shall be considered special uses on the second floor Buildings 2, 3, 4 and 5 in accordance with the procedures outlined in Section XIII of the Village of Pair Ridge Zoning Ordinance:

- A. Banquet halls
- B. Greenhouses, retail sales only
- C. Health and athletic clubs and gymnasiums
- D. Liquor stores (packaged goods sales only)
- E. Outside dining area for a restaurant subject to compliance with Section VIII.A.5 herein
- F. Permitted or Special Uses with hours of operation exceeding 6 AM to 12 Midnight

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- G. Pet shops and pet service stores
- H. Restaurants without drive-through facilities and with any one of the following: live entertainment, dancing, or sales of alcoholic beverages
- I. Theaters, indoor movie, not to exceed 4 screens or 800 seats, whichever is less, with no screen having more than 250 seats, and not located within 2500 feet (measured from property line to property line) of another theater facility.
- J. Theaters, performing arts, indoor

Property of Cook County Clerk's Office

Ordinance No. A-834- -05

Exhibit R

Permitted and Special Uses for the Second Floor of Buildings 2 and 4

1. <u>Permitted Uses:</u>

Any use listed as a permitted use on the first floor of Buildings 1, 2, 3, 4, 5, or 6 shall be considered a permitted use on the second floor of Buildings 2 and 4 subject to the issuance of a Zoning Certificate of Occupancy. In addition, any of the following uses shall be permitted on the second floor of Buildings 2 and 4 subject to the issuance of a Zoning Certificate of Occupancy.

- A. Panks and financial institutions not including drive-through facilities.
- B. Chnice; medical, dental, and optical, including accessory laboratories
- C. Offices, cusiness or professional
- D. Offices, including but not limited to medical, real estate, travel agencies, and insurance offices
- E. Permitted or Special Uses with hours of operation not exceeding 6 AM to 12 midnight.

2. Special Uses:

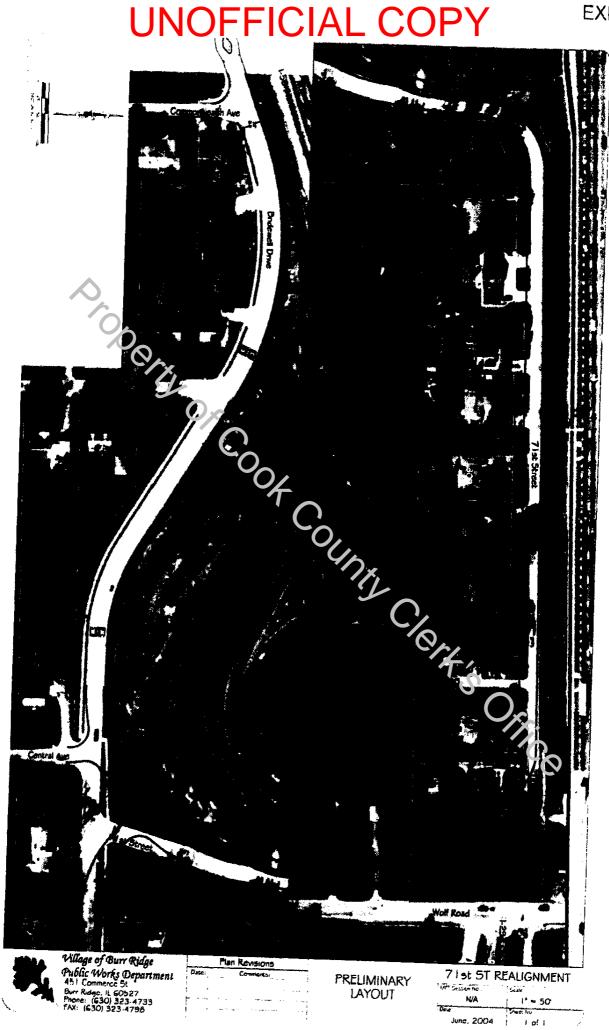
Any use listed as a special use on the first floor of Buildings 1, 2, 3, 4, 5, or 6 shall be considered a special use on the second floor of Buildings 2 and 4 in accordance with the procedures outlined in Section XIII of the Village of Burr Ridge Zoning Ordinance. In addition, the following uses shall be considered special uses on the second floor of Buildings 2 and 4 in accordance with the procedures outlined in Section XIII of the Village of Burr Ridge Zoning Ordinance:

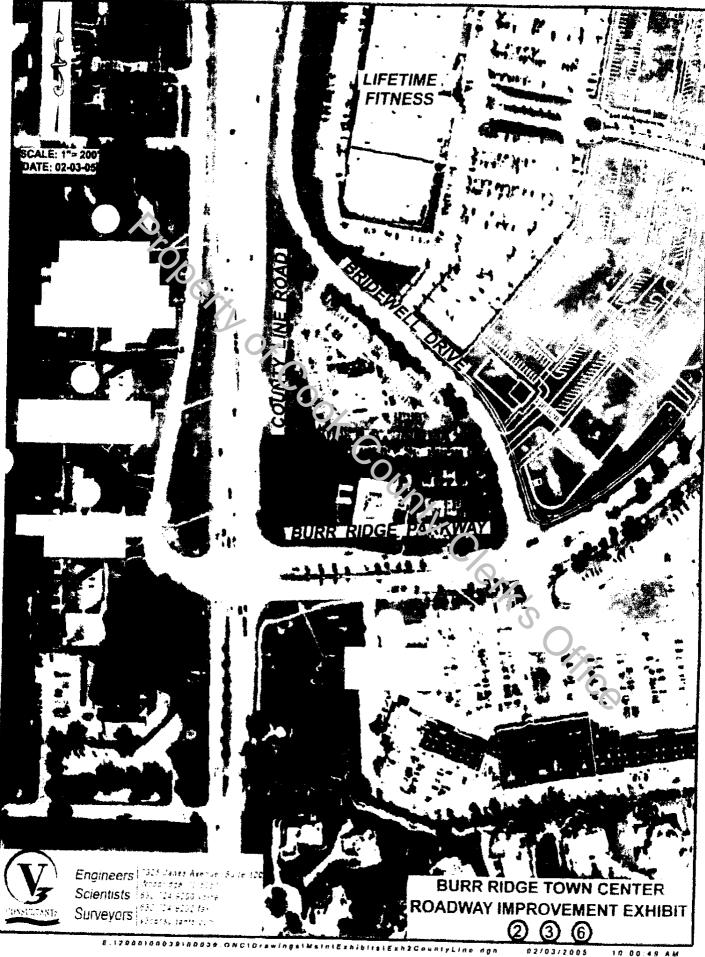
- A. Clubs or lodges, private, fraternal, or religious
- B. Colleges, universities, or business vocational schools
- C. Permitted or Special Uses with hours of operation exceeding 6 1M to 12 midnight



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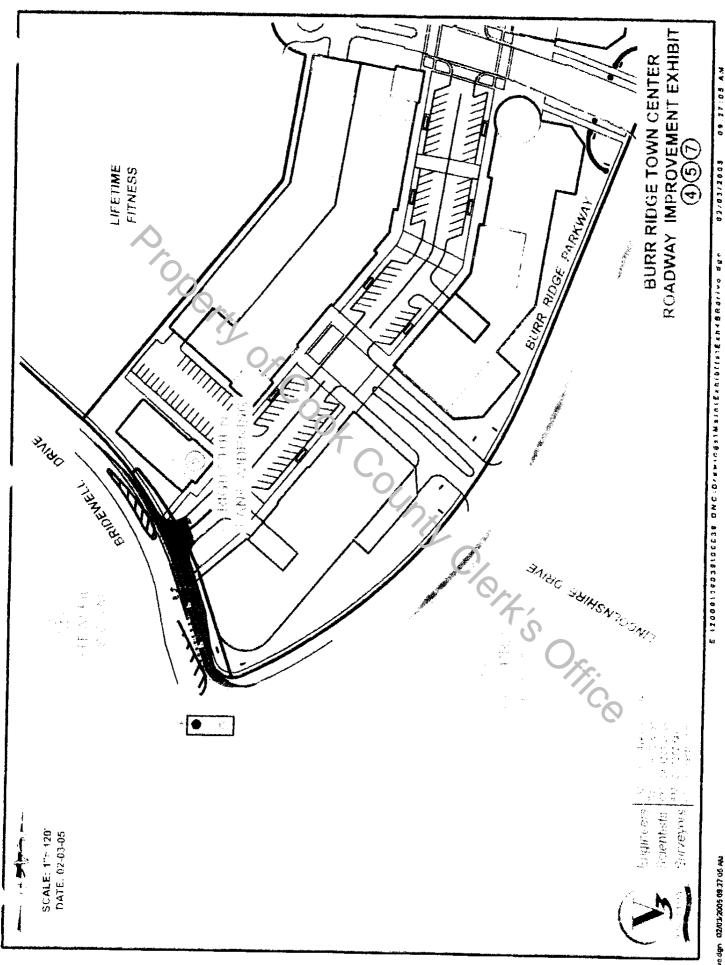
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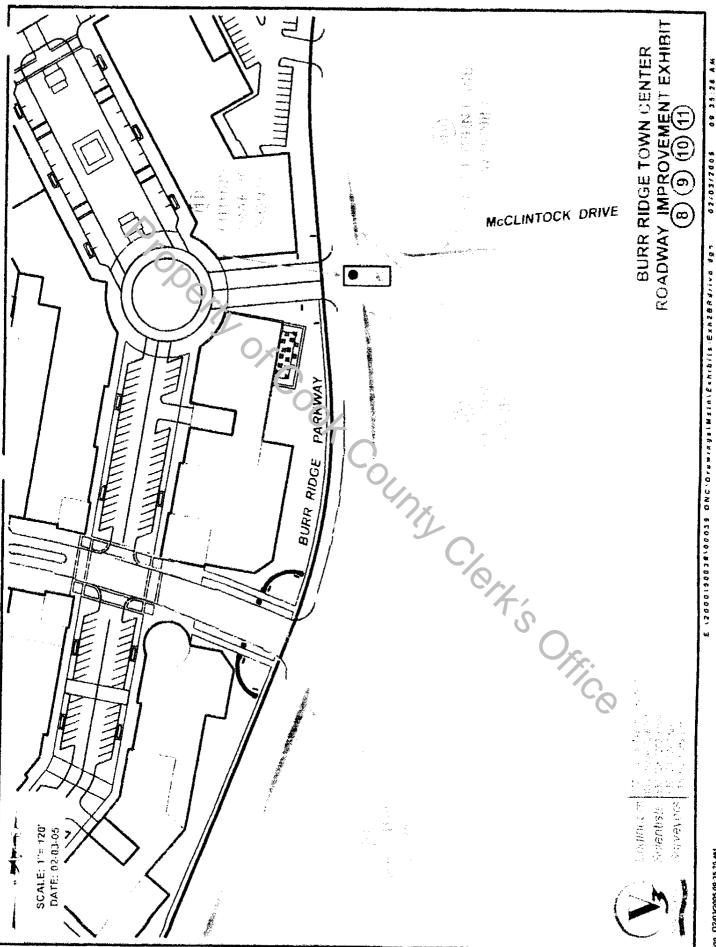


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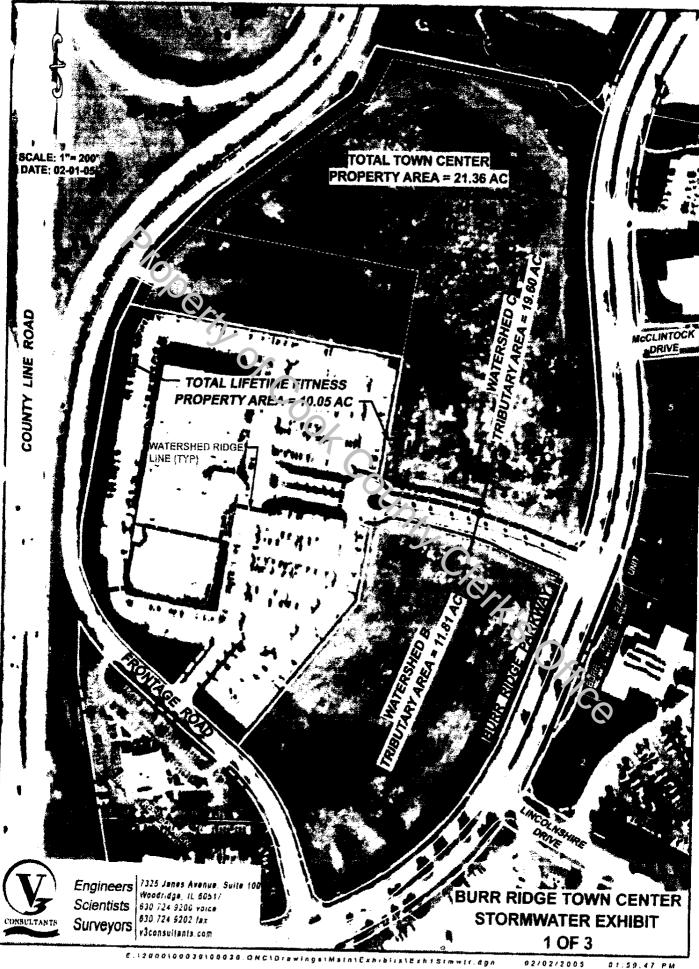
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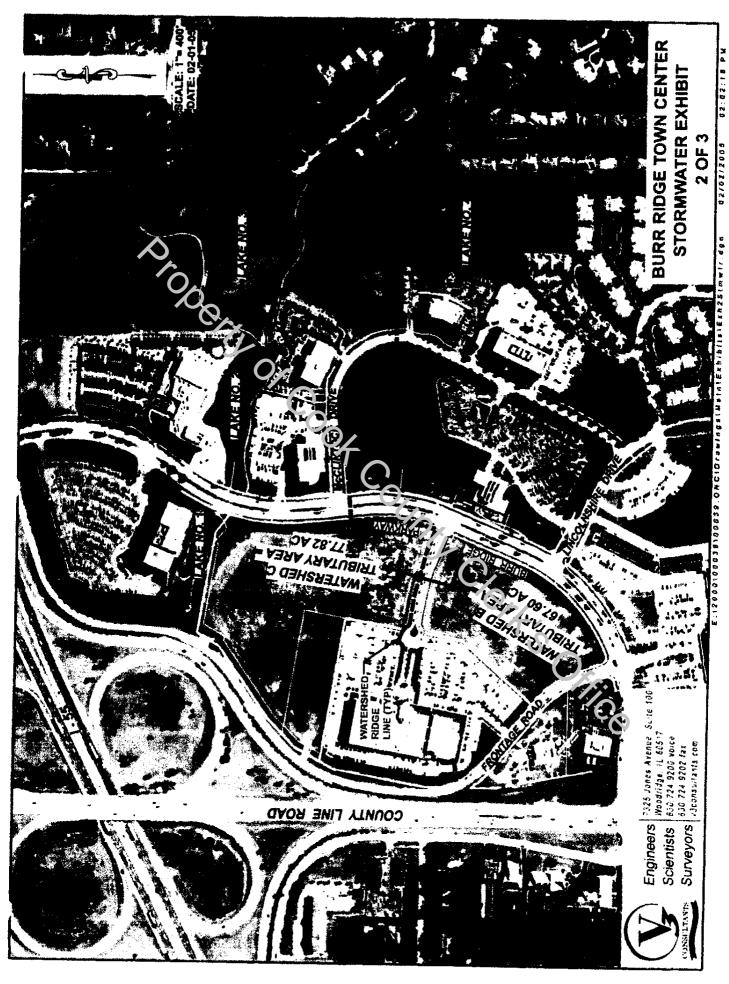


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ORDINANCE NO. A-834-25-05

AN ORDINANCE GRANTING A SPECIAL USE TO APPROVE FINAL PLANS FOR PHASE ONE OF THE BURR RIDGE VILLAGE CENTER PUD PURSUANT TO THE VILLAGE OF BURR RIDGE ZONING ORDINANCE (Z-09-2005: 501-1201 Burr Ridge Parkway - Opus North Corporation)

WHEREAS, an application for a Special Use for a Planned Unit Development for certain real estate has been filed with the Village Clerk of the Village of Burr Ridge, Cook and DuPage Counties, (i)inois, and said application has been referred to the Plan Commission of said Village and has been processed in accordance with the Burr Ridge Zoning Ordinance; and

WHEREAS, said Plan Commission of this Village held a public hearing on the question of granting said Special Use for a Planned Unit Development beginning on June 6, 2005, continuing on June 7, 2005, and concluding on June 20, 2005, at which time all persons desiring to be heard were given the opportunity to be heard; and

whereas, public notice in the form required by law was provided for said public hearing not more than 30 nor less than 15 days prior to said public hearing by publication in the Suburban Life, a newspaper of general circulation in this Village, there being no newspaper published in this Village; and

whereas, the Village of Burr Ridge Plan Commission has made its report on the request for a Special Use for a Planned Unit Development, including its findings and recommendations, to this President and Board of Trustees, and this President and Board of Trustees has duly considered said report, findings, and recommendations.

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NOW THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, as follows:

Section 1: All Exhibits submitted at the aforesaid public hearing are hereby incorporated by reference. This President and Board of Trustees find that the granting of a Special Use for a Planned Unit Development indicated herein is in the public good and in the best interests of the Village of Burr Ridge and its residents, and is consistent with and fosters the purposes and spirit of the Burr Ridge Zoning Ordinance as set forth in Section II thereof.

<u>Section 2</u>: That this President and Board of Trustees, after considering the report, findings, and recommendations of the Plan Commission and other matters properly before it, in addition to the findings set forth in Section 1, finds as follows:

- A. That the Petitioner for the Special Use for a Planned Unit Development (PUD) for the property located at 501-1201 Burr Ridge Parkway, Burr Ridge Illinois, is Opus North Corporation (hereinafter "Petitioner"). The Petitioner requests special use approval as per Section XIII.L.2.d of the Burr Ridge Zoning Ordinance for approval of final plans pursuant to Phase 1 of the Burr Ridge Village Center Planned Unit Development, the preliminary plans for which were previously approved by Ordinance Number A-834-10-05.
- B. That the final PUD plans are in every way consistent with the preliminary plans and preliminary PUD approval granted by Ordinance Number A-834-10-5 and that the findings of said preliminary approval are hereby incorporated as findings in relationship to approval of the final plans.

Section 3: That special use approval as per Section XIII.L.2.d of the Burr Ridge Zoning Ordinance for approval of final plans pursuant to Phase 1 of the Burr Ridge Village Center

Planned Unit Development *is hereby granted* as set forth and subject to all terms and conditions listed in Section 4 below. The property is located at 501-1201 Burr Ridge Parkway and is legally described as follows:

That part of the West 1/2 of Section 30, Township 38 North, Range 12, East of the Third Principal Meridian, descried as follows: Commencing at the intersection of the Southerly line of permanent easement for highway purposes (Interstate Route 55) per instrument recorded August 12, 1959 as Document No. 17627674, with the Westerly line of Burr Ridge Parkvay in Burr Ridge Park Unit 1, being a Subdivision in the West 1/2 of Section 30, aforesaid, according to the plat thereof recorded January 3, 1984 as Document No. 26915064; the following three courses are along the Westerly line of said Burr Ridge Parkway; Thence Southerly along a curved line convex Easterly and having a radius of 690.00 Feet, an arc distance or 642.83 Feet to a point of tangency in said line; Thence South 34 Degrees 14 minutes 40 Seconds West along a line tangent to said last described curved line at said last described point, 81.30 Feet to a point of curvature in said line; Thence Southwesterly along a curved line convex Northwesterly, having a radius of 865.00 Feet and being tangent to said last described line at said last described point, an arc distance of 274.49 Feet to a point for a place of beginning: Theree North 51 Degrees 06 Minutes 52 Seconds West, 94.61 Feet; Thence North 80 Degrees 06 Minutes 52 Seconds West, 426.44 Feet to a point on the Easterly line of the permanent easement for highway purposes as per instrument recorded August 12, 1959 as Document No. 17627674, said point being 3644.26 Feet North and 1888.33 Feet West of the Southeast Corner of the West 1/2 of said Section 30, as measured along the East line thereof and along a line at Right angles thereto; The following five courses are along the Easterly line of said permanent easement for highway purposes: Thence South 25 Degrees 39 Minutes 26 Seconds West, 108.94 Feet; Thence South 54 Degrees 06 Minutes 58 Seconds West, 363.45 Feet Thence South 45 Degrees 34 Minutes 39 Seconds West, 173.08 Feet; Thence South 27 Degrees 07 Minutes 58 Seconds West, 185.31 Feet; Thence South 09 Degrees 38 Minutes 57 Seconds West, 408.76 Feet to an angle point in said line; Thence South 00 Degrees 00 Minutes 34 Seconds West along the Easterly line of said permanent Easement for highway purposes per document no: 17627674, to an intersection with the Northeasterly line Frontage Road according to the Plat of Dedication recorded March 19, 1985 as Document No. 27479279;) the following five courses are along the Northeasterly line of said Frontage Road; Thence Southeasterly along -a curved line convex Southwesterly and having a radius of 375.00 Feet, an arc distance of 222.70 Feet to a point of tangency in said line; Thence South 50 Degrees 16 Minutes 35 Seconds

East along a line tangent to said last described curved line at said last described point, 303.98 Feet to a point of curvature in said line; Thence Southeasterly along a curved line convex Northeasterly and having a radius of 425.00 Feet, an arc distance of 231.81 Feet to a point of tangency in said line; Thence South 19 Degrees 01 Minutes 32 Seconds East along a line tangent to said last described curved line at said last described point, 115.88 Feet to a point of curvature in said line; Thence Southeasterly along a curved line convex Southerly and having a radius of 30.00 Feet, an arc distance of 49.57 Feet to a point of compound curvature with the Westerly line of Burr Ridge Parkway in said Burr Riage Park Unit 1; the following Five Courses are along the Westerly line of Burr Ridge Parkway in said Burr Ridge Park Unit : Thence Northeasterly along a curved line convex Southeasterly and having a radius of 705.00 Feet, an arc distance of 547.22 Feet to a point of tangency in said line; Thence North 21 Degrees 50 Minutes 04 Seconds East along a line tangent to said last described curved line at said last described point 363.20 Feet to a point of curvature in said line; Thence Northerly along a curved line convex Easterly and having a radius of 675.00 Feet, an arc distance of 321.83 Feet to a point of tangency in said line; Thence North 05 Degrees 29 minutes 00 Seconds West along a line tangent to said last described curved line at said last described point, 279.36 Feet to a point of curvature in said last line; Thence Northerly along a curved line convex Westerly and having a radius of 865.00 Feet, an arc distance of 325.28 Feet to the point of beginning, in Cook County, Illinois.

Except that part described as follows:

That part of the West 1/2 of Section 30, Township 38 North, Range 12 East of the Third Principal Merician, described as follows: Commencing at the intersection of the Southerly line of the permanent easement for highway purposes (Interstate Route 55) per instrument recorded August 12, 1959 as Document Number 17627674, with the Westerly line of Burr Ridge Parkway in Burr Ridge Park Unit 1, being a subdivision in the West 1/2 of Section 30, aforesaid according to the plat thereof recorded January 3, 1984 as Document Number 26915064; the following seven courses are along the Westerly line of said Burr Ridge Parkway; thence Southerly along a curved line convex Easterly and having a radius of 690.00 feet, an arc distance of 642.83 feet to a point of tangency in said line; thence South 34 degrees 14 minutes 40 seconds West along a line tangent to last described curved line at said last described point 81.30 feet to a point of curvature in said line, thence Southwesterly along a curved line convex Northwesterly, having a radius of 865.00 feet and being tangent to said last described line at said last described point, an arc distance of 599.77 feet to a point of tangency in said line; thence South 05 degrees 29 minutes 00 seconds East along the

Westerly line of said Burr Ridge Drive, being tangent to said last described curved line at said last described point, 279.36 feet to a point of curvature in said line; thence Southerly along the Westerly line of said Burr Ridge Parkway, being a curved line convex Easterly and having a radius of 675.00 feet, an arc distance of 321.83 feet to a point of tangency in said line; thence South 21 degrees 50 minutes 04 seconds West along the Westerly line of said Burr Ridge Parkway, 363.20 feet to point of curvature in said line; thence Southwesterly along the Westerly line of said Burr Ridge Parkway, being A curved line convex Southeasterly and having a radius of 705.00 feet, an Arc distance of 547.22 feet to a point of compound curvature, said point being the intersection of said Westerly line with the Northeasterly line of Frontage Road according to the plat of dedication recorded March 19, 1985 as Document Number 27479279 the following four courses are along the Northeasterly line of said Frontage Road; thence Westerly along a curved line convex Southerly and having a radius of 30.00 feet, ar arc distance of 49.57 feet to a point of tangency in said line; thence North 19 degrees 01 minutes 32 seconds West, 115.88 feet to a point of curvature in said. line; thence Northwesterly along a curved line convex Northeasterly and having a radius of 425.00 feet, an arc distance of 231.81 feet to a point of tangency in said line; thence North 50 degrees 16 minutes 35 seconds West, 4.75 feet to a point for a place of beginning; thence continuing. Northwesterly along the Northeasterly line of said Frontage Road North 50 degrees 16 minutes 35 seconds West, 299.22 feet to a point of curvature; thence Northwesterly along the Northeasterly line of said Frontage Road, being a curved line convex Southwesterly, having a radius of 375.00 feet and being tangent to said last described line at said last described point, an arc distance of 224.70 feet to an intersection with the Easterly line of the permanent easement for highway purposes per instrument recorded August 12, 1959 as Document Number 17627674; the following three courses are along the Easterly line of said perminent easement for highway purposes; thence North 00 degrees 00 minutes 34 seconds East, 77.70 feet, thence North 09 degrees 38 minutes 57 seconds East, 408.76 feet; thence North 27 degrees 07 minutes 58 seconds East, 62.76 feet to a point on said Easterly line of said permanent easement for highway purposes; thence South 80 degrees 21 minutes 03 seconds East, 603.43 feet; thence South 09 degrees 38 minutes 57 seconds West, 256.92 feet; thence Southwesterly, Southerly and Southeasterly along a nontangential curved line convex Westerly and having a radius of 50.00 feet, having a chord bearing of South 09 degrees 38 minutes 57 seconds West, an arc distance of 164.29 feet; thence South 09 degrees 38 minutes 57 seconds West along a line not tangent to last described curved line, 159.30 feet; thence South 40 degrees 14 minutes 07 seconds West, 394.86 feet to the point of beginning, in Cook County, Illinois. PERMANENT REAL ESTATE INDEX NUMBER: 18-30-300-028

-5-

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Section 4: That Final Plan approval for Phase 1 of the Burr Ridge Village Center Planned Unit Development is hereby granted as per Section XIII.L.2.d of the Burr Ridge Zoning Ordinance. The final plan approval is subject to all terms and conditions of Ordinance Number A-834-10-05 except as specifically modified by the following terms and conditions:

- A) The development of the PUD shall proceed according to the attached phasing and construction schedule attached hereto as **Exhibit A**. Construction management shall also post signs prohibiting construction access via Chasenoor Drive, 71st Street, and 72nd Street.
- B) Section 4, Paragraph B.1)iv. Of Ordinance No. A-834-10-05 is deleted and replaced by the following: Mass grading may begin on the property upon approval of a grading permit by the Village and prior to submittal of a letter of credit for the subdivision improvements. Permits for the construction of buildings may begin at such time that the petitioner provides documentation in the form of executed lease agreements or letters of intent for retail occupancy of at least 30% of the first floor retail space within Phase 1.
- C) The final site plan shall be in conformance with plans attached hereto as **Exhibit B** except as follows:
 - i) The sidewalk area between Pridewell Drive and Building 1 shall be modified to provide a separation between the curb and pedestrian area and to provide pedestrian amenities comparable to the main street.
 - ii) The curb radii at the three street incresections on the main street shall be reduced to 20 feet. The curb radii at the three intersections along Burr Ridge Parkway shall be 35 feet.
 - iii) The design cross section of the main street sidewalk and design features such as street lights, street furniture and landscaping shall be extended to the area between Buildings 3 and 5.
 - iv) The final plans for the changes described herein shall be subject to the review and approval of the Community Development Director prior to issuance of any building permits.
- D) The final building elevations shall be in conformance with the following plans and conditions including but not limited to building materials and building height:

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- i) Building 1 shall be in compliance with the attached **Exhibit C**.
- ii) The west façade of Building 2 shall be in conformance with the attached **Exhibit D**. The east façade of Building 2 shall be in compliance with the attached **Exhibit E** except as may be modified by the changes reflected in the aforementioned **Exhibit D**.
- iii) Building 3 shall be in conformance with the attached Exhibit F.
- iv) Building 4 shall be in conformance with the attached **Exhibit G**.
- Building 5 shall be in conformance with the attached **Exhibit H**.
- vi) The final plans for all first floor storefronts shall be in conformance with the design guidelines described in the attached **Exhibit I**. Any storefront facades that significantly differ from the approved building elevations or design guidelines (isted herein shall be submitted for review by the Plan Commission and approval by the Board of Trustees. This review shall not require an amendment to the PUD (i.e. no public hearing required).
- vii) It is expressly understood that the design guidelines referenced as **Exhibit I** above prohibit the use of synthetic stuc(o (also referred to as Exterior Insulation Finish Systems or EIFS).
- E) Parking decks and rooftops shall comply with the following:
 - i) Floor plans for the interior parking in Building One and in the parking decks attached in Buildings Three and Five shall be in conformance with the plans attached hereto as **Exhibit J**.
 - ii) The rooftop parking decks shall include the provision of landscaping planter boxes in conformance with the attached **Exhibit J**.
 - iii) All roofing materials shall be white or tan.
 - iv) Parapet walls on Buildings 3 and 5 shall exceed the height of rooftop equipment.
 - v) Second floor terraces shall be provided on Buildings 2 and 4.
 - vi) Light poles on the parking decks shall have cutoff type fixtures.

- F) Final landscaping plans shall be in conformance with the plans and "Landscape Description" attached hereto as **Exhibit K**.
- G) Final lighting plans shall be in conformance with the plans attached hereto as **Exhibit L** except that the design of the street light poles shall be subject to review by the Plan Commission and approval by the Board of Trustees. This review shall not require an amendment to the PUD (i.e. no public hearing required).
- H) Individual tenant signs for all storefronts shall be in conformance with the design guidelines attached hereto as **Exhibit M** and subject to the following additional gridelines:
 - i) All signs referenced as "Building Signs" in the design guidelines are classified as wall signs as per Section 55.06.B.1 of the Burr Ridge Sign Ordinance. Wall signs are subject to the issuance of a sign permit by the Village of Burr Ridge. Additionally, building signs are subject to the following regulations in addition to those regulations contained in the referenced design guidelines:
 - (a) There shall be a maximum of one sign per tenant.
 - (b) Each wall sign shall not exceed one square foot for each lineal foot of the storefront or tenant space width with a minimum area allowed of 25 square feet and a maximum area allowed of 50 square feet.
 - (c) Anchor tenants and corner storefronts may be permitted additional sign area by transferring sign area to the anchor tenant(s) from other tenants. Such modifications to the sign areas shall be subject to review by the Plan Commission and approval by the Board of Trustees. This review shall not require an amendment to the PUD (i.e. no public hearing required).
 - ii) All signs referenced as "Storefronts Signs" in the design guidelines are classified as window signs as per Section 55.06.A.5 of the Burr Ridge Sign Ordinance. Window signs do not require a sign permit but are subject to the following regulations in addition to those regulations contained in the referenced design guidelines:
 - (a) The sum total of all window signs shall not exceed 40 percent of the total area of the windows in which they are located.

- (b) Window signs shall not have any moving parts.
- (c) A series of windows that are separated by frames and supporting material of less than six inches in width shall be considered as a single window for the purpose of computation.
- iii) All signs referenced as "Blade Signs" in the design guidelines shall be considered exempt signs as per Section 55.10 of the Burr Ridge Sign Ordinance. Blade signs do not require a sign permit provided they are full compliance with the design guidelines referenced herein.
- I) Storefront designs including but not limited to avnings, lighting, and materials shall be in conformance with the design guidelines attached hereto as **Expirit N**.
- J) The final signs for project identification and traffic direction shall be provided for Plan Commission review and Board of Trustees approval. This review shall not require an ameriment to the PUD (i.e. no public hearing required). Such signs shall include supplemental traffic directional signage on County Line Road and Burr Ridge Parkway as required by Ordinance A-834-10-5 with said signage being incorporated into a "wayfinding" sign program for the entire Burr Ridge Corporate Park area.
- K) On-site security shall be provided in conformance with the Security Plan attached hereto as <u>Exhibit O</u>.
- Parking shall be provided in conformance with the site plan and floor plans referenced above and with the Parking Management Plan attached hereto as **Exhibit P**. The Parking Management Plan shall also require that designated areas be provided for valet parking drop off in front of restaurants and valet parking areas in the parking decks.
- M) All facilities shall be maintained in conformance with the Facilities Maintenance Plan attached hereto as **Exhibit Q**.
- N) Property management shall be provided in conformance with the Retail and Residential Management Plan attached hereto as **Exhibit R**.
- O) The final plans for public art and related features shall be provided for Plan Commission review and Board of Trustees approval. This review shall not require an amendment to the PUD (i.e. no public hearing required).
- P) The final location of the monument or fountain in the Village Green shall be subject to review by the Plan

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Commission and approval by the Board of Trustees at such time that the monument and other public art is submitted for final review by the Village. This review shall not require an amendment to the PUD (i.e. no public hearing required).

- Q) Leasing or rental of residential units shall be restricted as follows:
 - i) That the period of any unit lease be no less than one year in duration.
 - ii) That an individual unit may only be leased for a period of two out of any three consecutive years.
 - ini) That the covenants for the residential units shall permit the homeowners to amend these leasing restrictions if approved by a simple majority of the homeowners (51%) in which case the leasing restrictions contained herein shall become null and void.
 - iv) That the covenants, conditions, and restrictions shall be recorded to reflect these terms and conditions for leasing of residential units.
- R) Covenants for the residential units shall prohibit the use of balconies as storage areas and shall require uniform window treatments for units facing the intersection of Burr Ridge Parkway and Bridewell Drive.
- A public lobby and restroom facility shall be provided in a centralized location with the final location and design subject to review by the Plan Commission and approval by the Board of Trustees. This review shall not require an amendment to the PUD ("e. no public hearing required).
- T) A final plat of subdivision shall be submitted for review and approval by the Board of Trustees as per the Burr Ridge Subdivision Ordinance. Approval of the final plat shall include:
 - i) Review and approval of the Declaration of Covenants, Conditions, and Restrictions for the residential units.
 - ii) Dedication of easements and creation of common area outlots as required by the Subdivision Ordinance.
 - iii) Review and approval of final easement text outlining the Village's authority to conduct public events on the Village Green (i.e. that area between Buildings 5, 6 and 7).
- U) Approval of this final PUD Ordinance shall be limited

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to Opus North Corporation or its successors.

Section 5: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law. The Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form.

PASSED this 10th day of October, 2005, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES:

5 - Trusters Grela, Wott, Sodikoff, Paveza &

Allen

NAYS:

0 - None

ABSENT:

l - Trustee DeClouette

APPROVED by the President of the Village of Burr Ridge on this $10^{\rm th}0$ day of October, 2005.

ΑΤΤΕΚΤ.

Millage Clerk

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PAMPHLET

FRONT OF PAMPHLET

AN ORDINANCE GRANTING A SPECIAL USE TO APPROVE FINAL PLANS FOR PHASE ONE OF THE BURR RIDGE VILLAGE CENTER PUD PURSUANT TO THE VILLAGE OF BURP. RIDGE ZONING ORDINANCE

(Z-09-2005: 501-1201 Burr Ridge Parkway - Opus North Corporation)

Published in pamphlet form this $10^{\rm th}$ day of October, 2005, by Order of the Corporate Authorities of the Village of Burr Ridge, Cook and DuPage Counties, Illinois.

Village Clerk

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PAMPHLET

BACK OF PAMPHLET

DOOR COOK COOK C AN ORDINANCE GRANTING A SPECIAL USF TO APPROVE FINAL PLANS FOR PHASE ONE OF THE BURR RIDGE VILLAGE CENTER PUD PURSUANT TO THE VILLAGE OF BURR RIDGE ZONING ORDINANCE

(Z-09-2005: 501-1201 Burr Ridge Parkway - Opus North Corporation) Tru.
Office

Published in pamphlet form by Order of the Corporate Authorities of the Village of Burr Ridge, DuPage and Cook Counties, Illinois.

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Exhibit A

1 of 4

The Shoppes of Burr Ridge Narrative CONSTRUCTION SCHEDULE and PHASING

GENERAL PHASING and CONSTRUCTION SCHEDULE

The proposed building site consists of a total of 21.37 acres. The site is bounded to the south and east by Burr Ridge Parkway, to the west by Bridewell Drive and the existing Life Time Fitness facility and to the north by an existing office structure and retention pond. Preparation of the site and construction of the buildings will occur within two separate phases. A total of 7 mixed-use buildings are being proposed for the site. The Uses include Residential, Retail and Business Offices. The site includes one Out Parcel Lot for development by others. Included within the site is the construction of a public use outdoor space commonly known as the Village Green.

PHASE 1 CONSTRUCTION SCHEDULE

Phase 1 construction is scheduled to begin in late summer of 2005 and carry through late summer of 2006 with a Retail Grant Croming scheduled for September 15, 2006. Further build-out of residential and office spaces will most likely occur after this time with consideration given for the safety and protection of the patrons and residents occupying or visiting the center. Retail construction of Buildings 1, 2, 3, 4 and 5 would be part of this phase. Subsequent build-out of retail spaces by tenants will be part of this mase. Construction traffic to the site for Phase 1 will be controlled at the intersection of Lincolnshire Prive and Burr Ridge Parkway.

PHASE 2 CONSTRUCTION SCHEDULE

Phase 2 construction is scheduled to commence as early as mid summer of 2006 and extend through the year of 2008. Phase 2 construction is dependent upon both leasing and sales activity for both the retail and residential buildings, respectively. Construction of Buildings 6 and 7 including construction of the Out-Parcel lot would be part of this phase. Subsequent build-out of retail spaces by tenants will be part of this phase. Construction fencing will be used to protect the areas of construction completed as part of Phase 1. Construction traffic to the site for Phase 2 will be controlled at the curb cut shown to the north of McClintock Drive leading into the site.

CIVIL and SITE
Phase 1
Scope of Work and Scheduling

Mass grading of the site is scheduled to begin in late spring of 2005 and extend through the first of year into 2006. The underground civil work, which consists of the Sanitary, Storm and Water distribution, is scheduled to begin in early September of 2005 and extending through the first of the year into 2006. The public street improvements including turn lanes and center medians, concrete walks and curb cuts to Burr Ridge Parkway and Bridewell Drive will commence in midsummer of 2005 with completion scheduled for early fall of 2005. The private interior roadways and surface parking areas on the site will commence in spring of 2006 with a final lift of asphalt topping being placed close to the end of the construction schedule for the buildings included as part of Phase 1 construction.

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Exhibit A

2 of 4



A temporary, 20-foot wide roadway, for emergency vehicles only, of gravel and rolled asphalt will provide emergency access for Life Time Fitness. The proposed location of this roadway will align with the main drive aisle for Life Time Fitness, connecting to Bridewell Drive through the northwest parking lot and aligning with a proposed curb cut location. Erosion control and snow fence will be installed prior to the start of mass grading, with continued maintenance through the installation of final landscaping.

CIVIL and SITE

Phase 2

Scope of Work and Scheduling

Construction of the surface parking for the northeast portion of the site, as delineated on the Phasing Plan. Rejected work would include storm water utility connections and parking lot lighting.

Erosion control and show fencing will be installed and maintained through the installation of final OxCoof landscaping.

BUILDINGS

Phase 1

Scope of Work and Scheduling

The construction of Buildings 1, 2, 3, 4, and 5 are part of the Phase 1 construction schedule. The construction of these buildings will commence singulaneously, beginning in Mid-October of 2005 with first floor completion scheduled for May or 2006. Buildings 1, 2 and 4 that contain Office and Residential Use spaces will continue with a construction schedule extending into early September. The retail tenant build-outs will commence in May of 2006 upon delivery of the first floor retail space for all Phase 1 buildings. Office (

BUILDINGS

Phase 2

Scope of Work and Scheduling

The construction of Buildings 6 and 7, including the Out-Parcel will occur as part of this phase. Both buildings 6 and 7 will commence simultaneously utilizing the area designated for stattace parking to the northeast for staging the construction. The retail tenant build out for building 6 is projected to commence in mid-summer of 2006 with completion targeted for summer of 2007. All levels of building 7 and the residential levels of building 6 will be completed as part of this phase.

LANDSCAPE, HARDSCAPE, SITE FURNISHINGS and SIGNAGE

Phase 1

Scope of Work and Scheduling

Landscape and Hardscape activities will commence on or around early spring of 2006, extending to mid September of 2006 prior to the scheduled grand opening for the center. The scope of landscape and hardscape work would include seeding and sodding of green spaces, plantings and

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Exhibit A

3 of 4

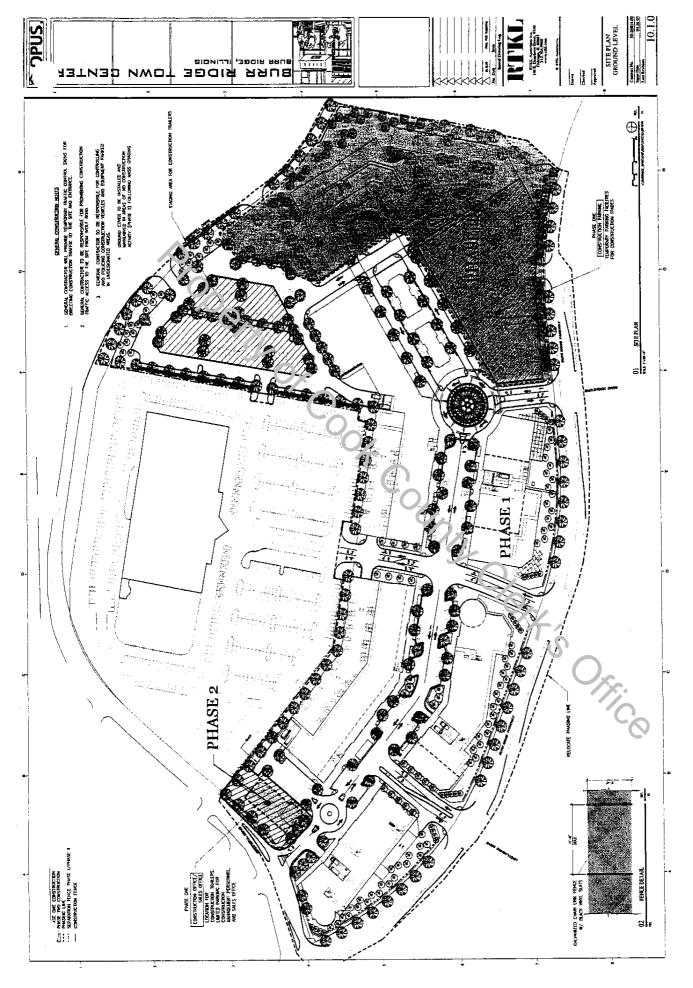


trees along the retail street, Village Green space and adjacent to the buildings. Landscape, hardscape, retaining walls and site furnishings will be installed as depicted on the phasing plan. Major project identification signage, directional and way finding signage will be installed as part of this phase. Building signage not related to leased spaces will be installed as part of this phase. Retail tenant signage will be installed in association with retail build out activity

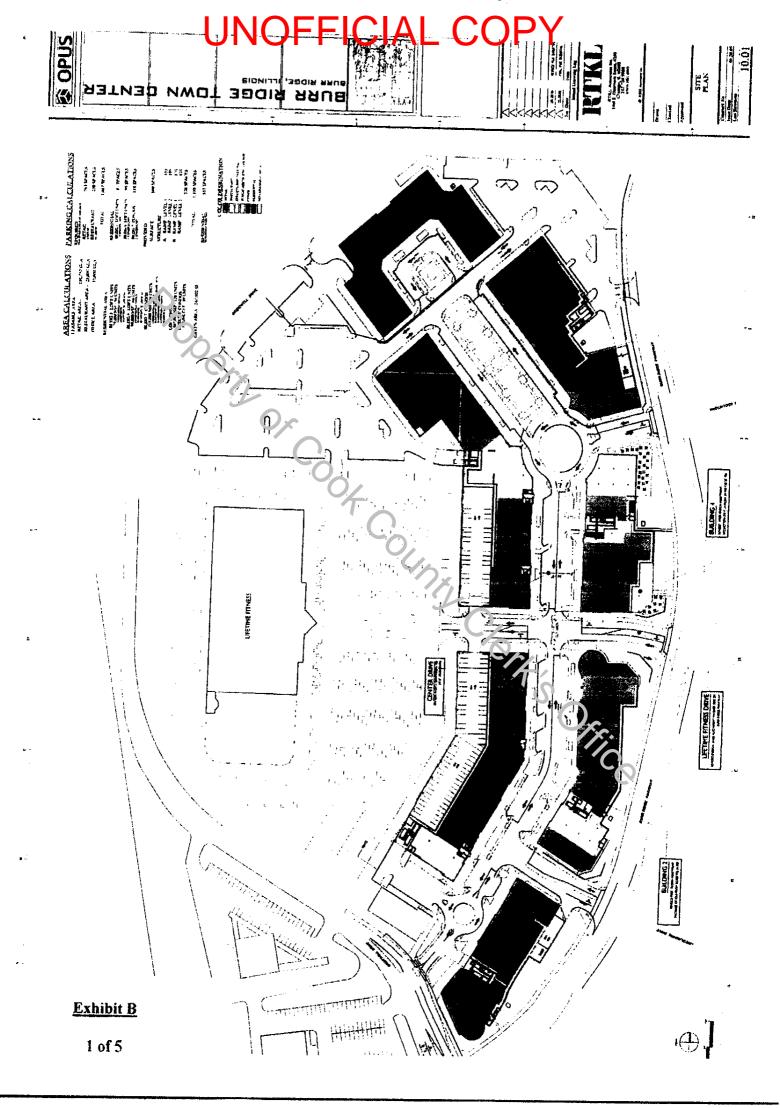
LANDSCAPE, HARDSCAPE, SITE FURNISHINGS and SIGNAGE Phase 2
Scope of Work and Scheduling

Landscape and Hardscape activities for phase 2 will commence in mid-summer of 2006, extending through summer of 2007. The scope of landscape and hardscape work would include seeding and codding of green spaces, plantings and trees adjacent to the buildings, including work associated with the construction of the surface parking at the northeast corner of the site. Landscape, hardscape, site furnishings will be installed as depicted on the phasing plan. Building signage not related to leased spaces will be installed as part of this phase. Retail tenant signage will be installed in association with retail build out activity

4 of 4



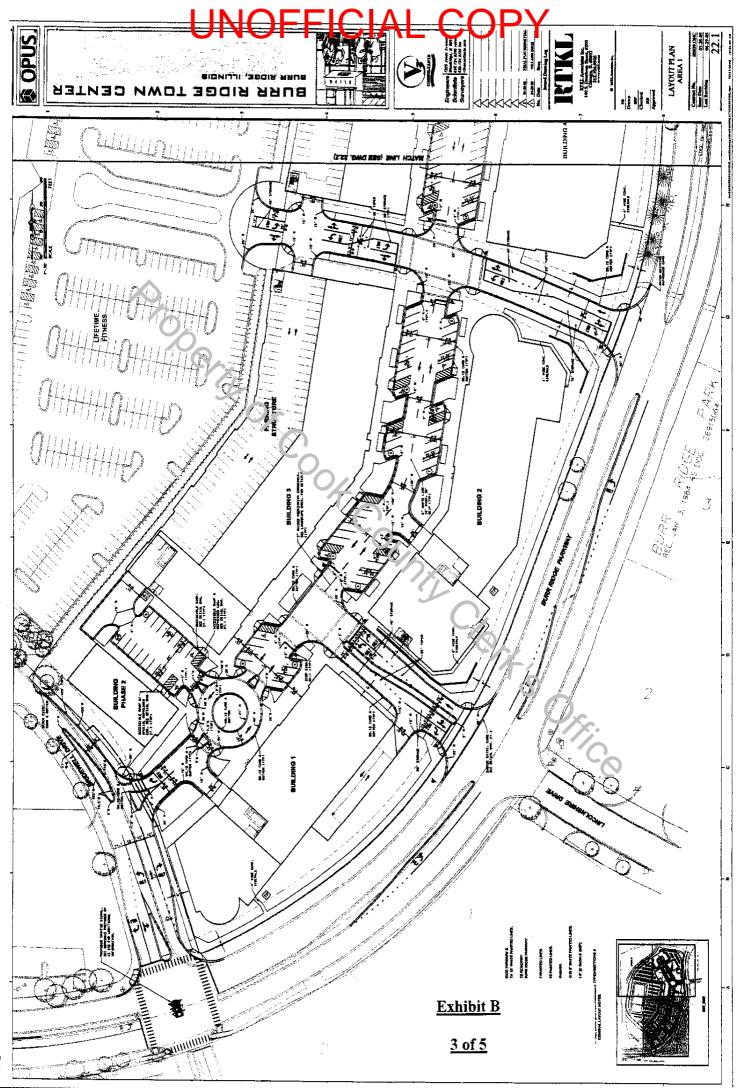
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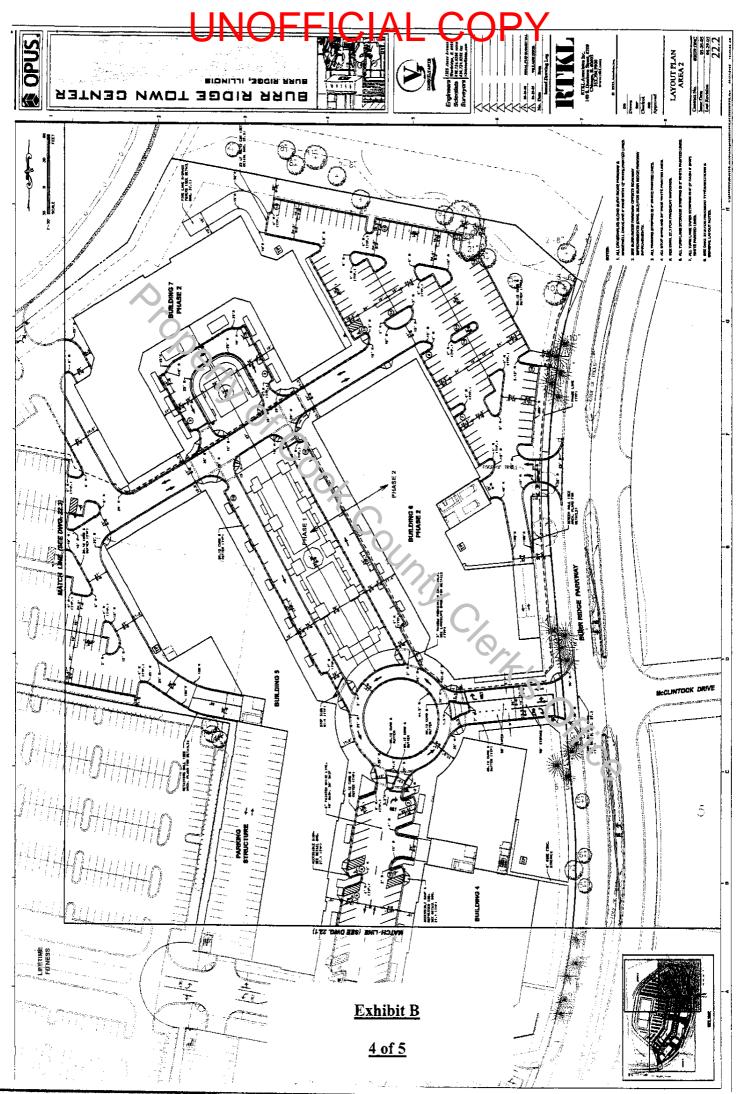
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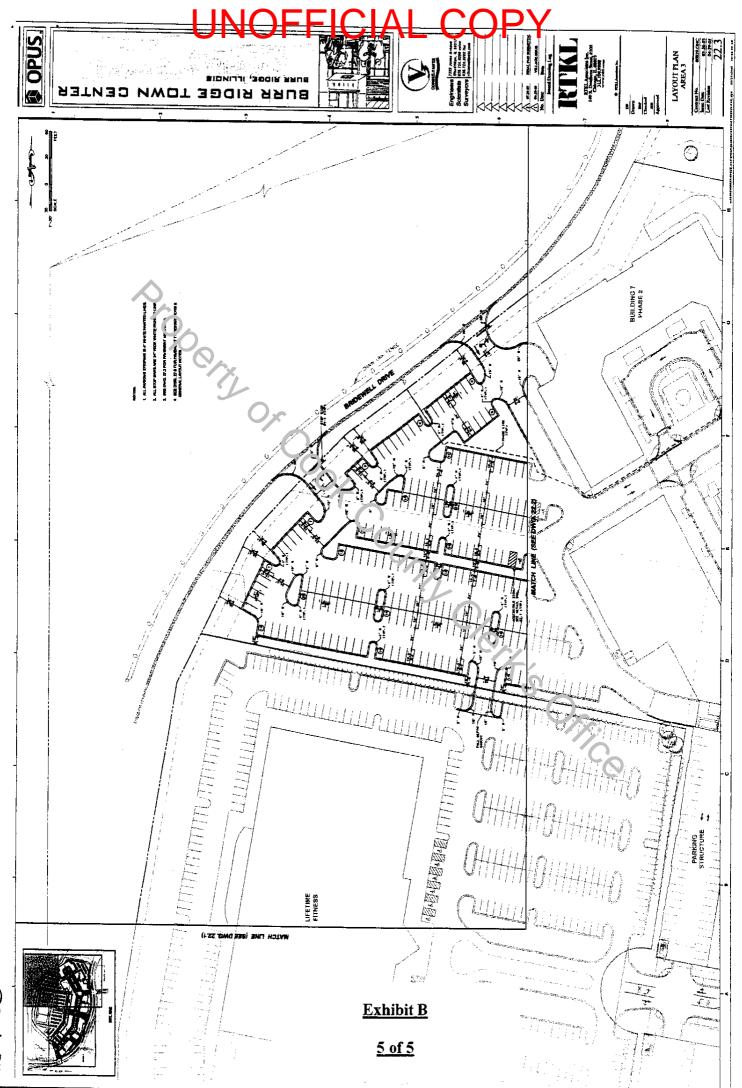
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hibit 65

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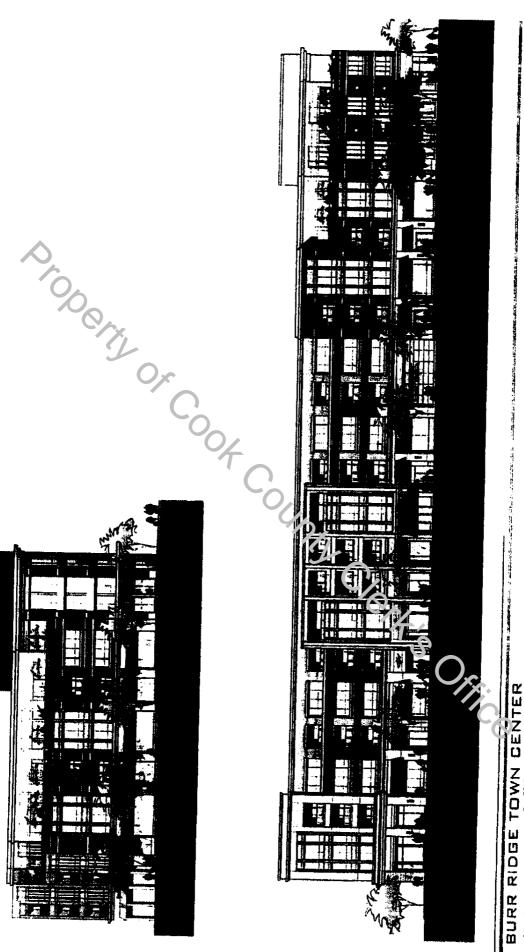


Exhibit C

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Exhibit D

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BURR RIDGE TOWN CENTER BURR RIDGE TOWN CENTER BURR BURR RIDGE TOWN CENTER



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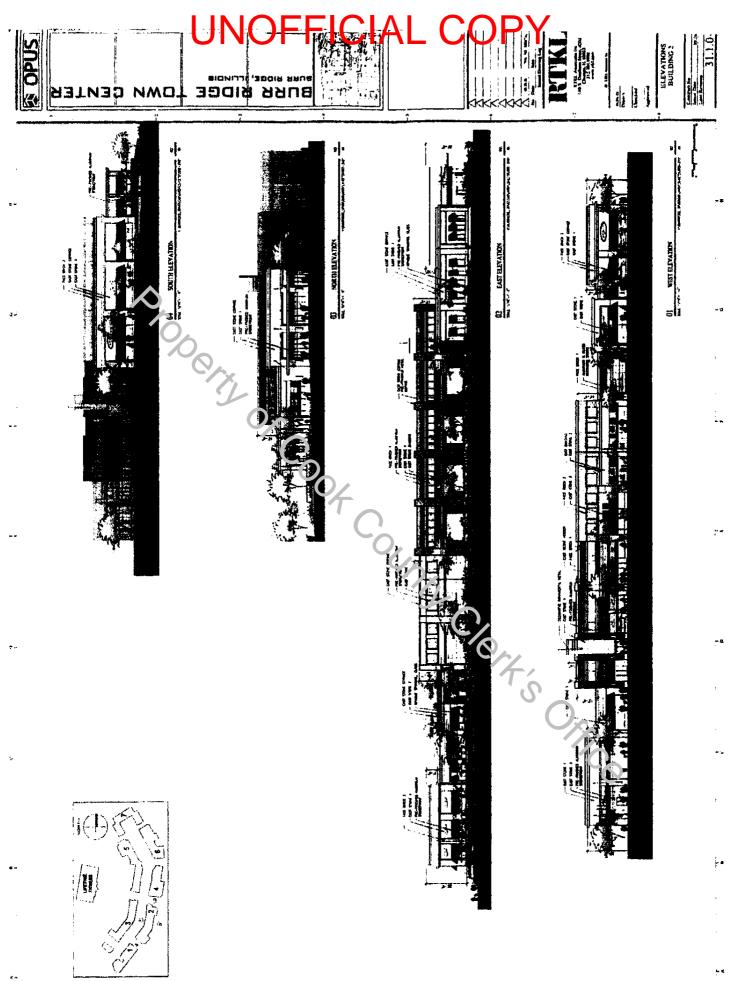
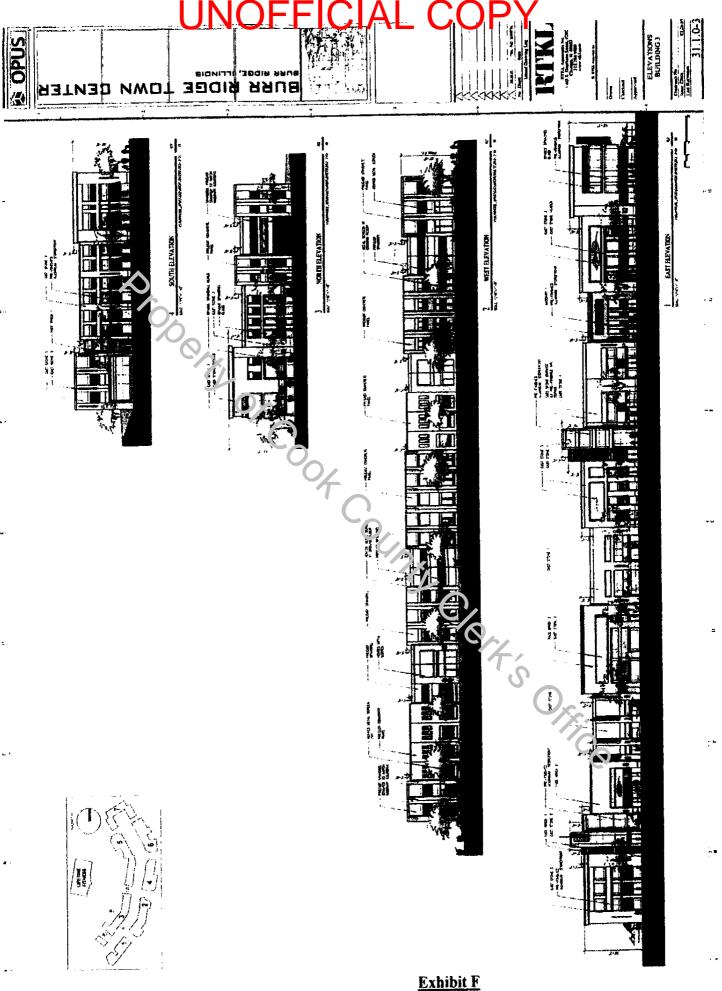


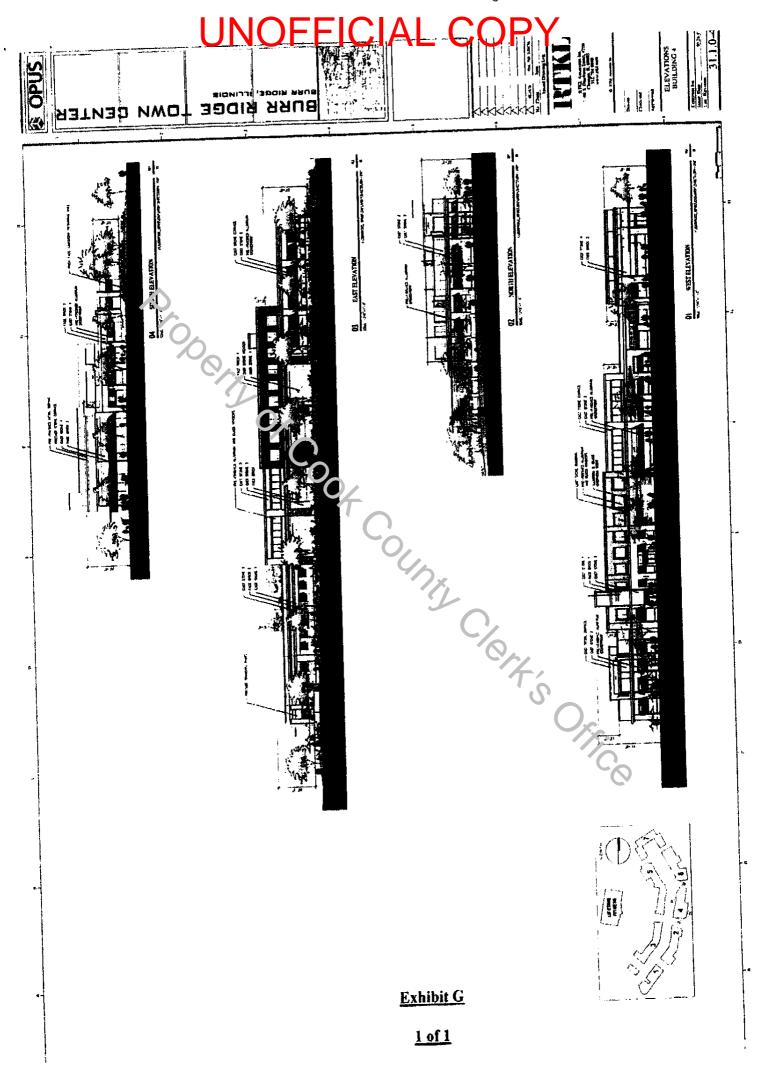
Exhibit E

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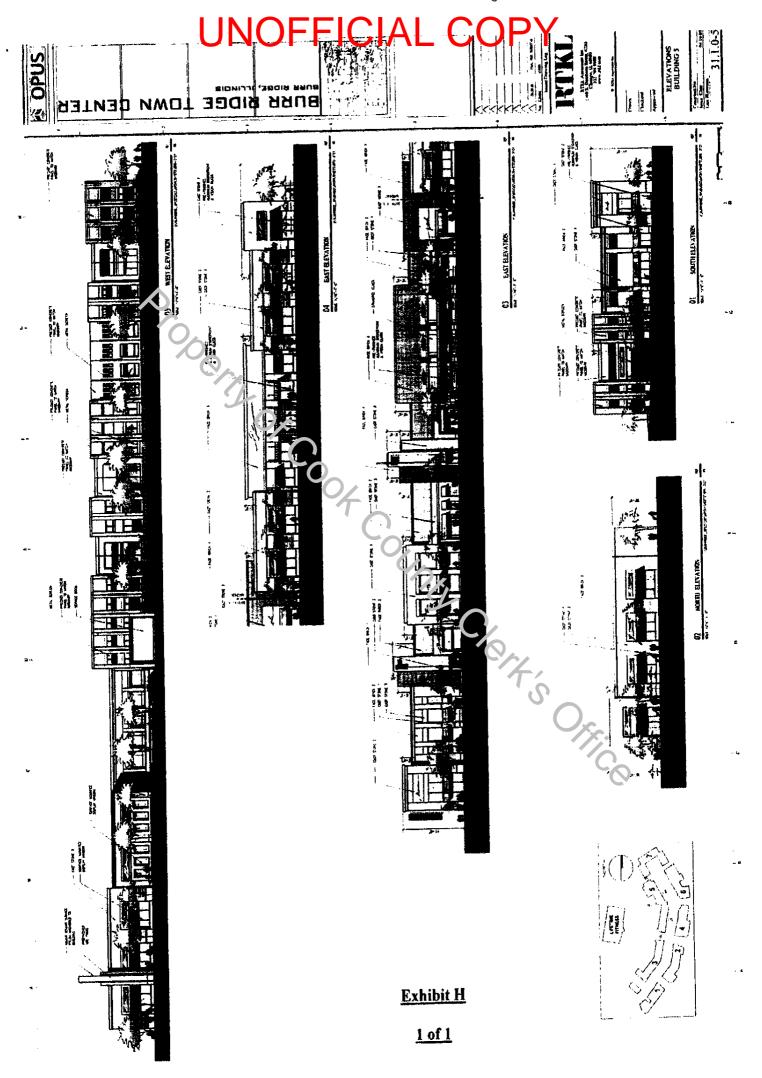


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PROJECT DESCRIPTION

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General

The Burr Ridge Town Center is an exciting mixed-use development that will become an integral part of the urban fabric of Burr Ridge. The Burr Ridge Town Center offers a combination of approximately 191,000 square feet of leasable retail space, 25,000 square feet of restaurant space and 33,000 square feet of second story office space. Included within the development are 179 loft and condominium style residences with private parking facilities. Included in this section is a "Site Plan" drawing depicting all the buildings, access to and within the site and the surface and structured parking areas to support the various uses.

The street farades of all seven structures portray the look of individual buildings. The variation of façade height and uppth create an appearance that portions of each building had been built over time, by different owners. The creative use of differing masonry materials with a variety of colors and textures, enhance the sense of individuality.

Storefronts

OPUS North Corporation, being the developer of The Burr Ridge Town Center expects the architecture of this project to reflect the personality of the Tenants and Residents of this mixed-use community. The retail program encourages individual architectural creativity from apparel, lifestyle, home and restaurant merchants. Each retail space is custom tailored to the tenant, rather than a pre-designed generic shell in search of occupants. As a result, the street experience of The Burr Ridge Town Center takes advantage of the retailer's and restauraceurs' unique expressions in design and materials.

The storefront, integrated with the Tenant's signage, identity graphics and display, work to complement each other in developing the basic elements of store planning and design. It is the visual impact of these elements that entices the shopper to enter a Tenants storement and experience the environment of merchandise and shopping.

Each Tenant at The Burr Ridge Town Center is required to design their storefront with respect to the individual character of their building façade and space. The Design Guidelines are intended to give the Tenants designer flexibility and independence to create unique designs that are compatible with the architectural style of The Burr Ridge Town Center. All Tenants' with a nationally recognized storefront will be able to maintain variations of their storefront prototype, while conforming to the design standards. These guidelines are to be used as a mutual point of agreement for all Tenant designs.

Technical Guidelines

1. Tenant's structural support of storefront system, doors, and signage shall be independent of Landlord's work and shall meet all applicable codes for construction. (See attached typical storefront details for buildings 1-6). Landlord will provide a structural steel wind girt at storefront opening, spanning between structural columns, for attachment of Tenant's system at the head condition. For additional lateral stability, Tenant's construction may be attached to Landlord's structure pending Landlord's review and approval of Tenant's drawings and details. As storefront modulation from the lease line is encouraged, prompt plan submission of proposed storefronts is required to coordinate the Landlord's support system with the Tenant's storefront layout.

- 2. Landlord, will construct, at their expense a "Neutral Pier" in line with the storefront façade. The neutral pier will be designed and constructed in a manner that will either match or complement Landlord's shell construction. By definition a neutral pier is an architectural element, typically 2 feet in width, bearing no gravity loads from above, that separates two adjacent tenants and their storefronts. A neutral pier is used to conceal the construction of a "demising wall" between Tenant's and acts as a physical break delineating the end of one Tenants storefront construction and the start of another. Neutral piers are part of the Landlord's shell construction and are maintained by the Landlord. Neutral piers are designed to move independent of the façade construction and structure in response to the square footage leasing needs of a Tenant.
- 3. Tenant's are permitted to extend storefront past the lease line in either direction. Tenant's extension shall be limited to no more than 12", away from the face of building. Tenant's extension shall be limited to no more than 12", or recessed away from the face of building, towards the interior. Modulation from the lease line does not move the lease line or adjust the Tenant's square footage. Tenants shall not be allowed to compromise either the structural integrity or reather and water tightness of Landlords building exterior.
- 4. Tenant's storefront shall be durable and strong and require minimal maintenance. The assembly shall be structurally sound and both weather and watertight. Compliance with all applicable codes must be met.
- 5. The Tenant shall be responsible for installing, waterproofing and maintaining floor/walkway material adjacent to Tenant's entrance doors.
- 6. All storefront designs must provide a minimum 6"-high curb, clad with a monolithic stone or suitable precast material with minimal vertical and horizontal joints. Modular masonry units will (Res. be considered dependent on size and approval. (Refer to Architecture Storefront Design and Construction Guidelines.

Design Guidelines

- Acceptable Materials:
 - a. Masonry
 - b. Stucco
 - c. Natural Stone
 - d. Cast Stone
 - e. Metal
 - Quarry and Ceramic Tiles
- Storefronts shall have a design to complement the spacing of the existing façade modulations 2. and column grid. Storefront facades should be detailed and articulated to create a pedestrian scale and visual interest. Window surrounds may project to create strongly pronounced decorative frames and cornices.
- Though windows may encompass 85% of the storefront, punched window openings are not 3. allowed. Articulated window frames and mullion patterns are encouraged where appropriate.
- Special architectural elements such as medallions, grill work, carved stone ornament tile 4. work and distinctive openings are encouraged.

Exhibit I

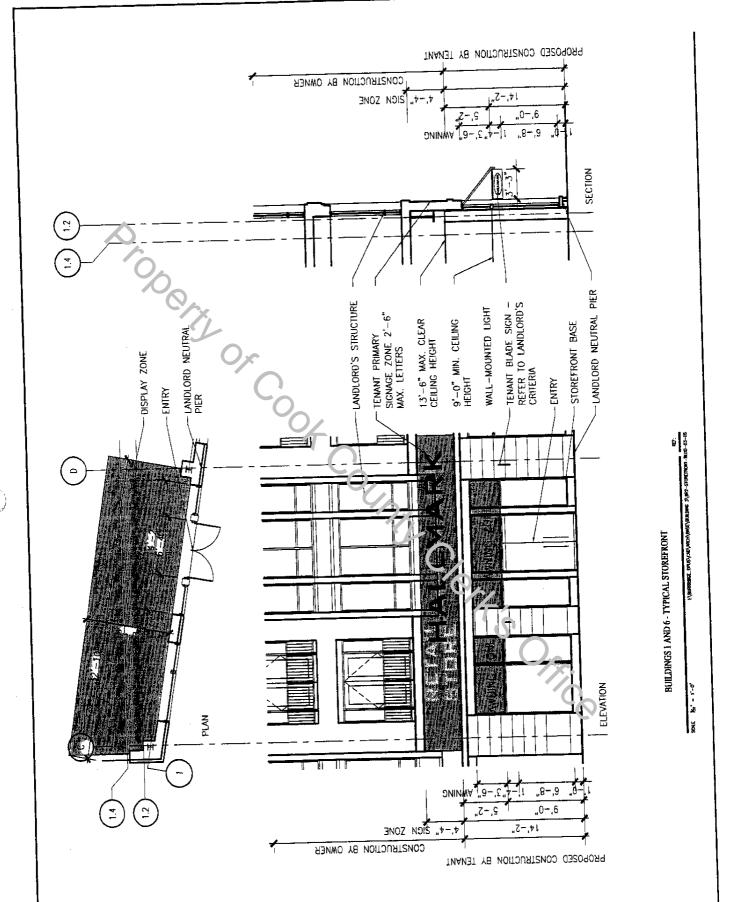
- 5. Tenants are required to employ high quality materials in the design and construction of their storefronts in order to promote quality design. Metal storefronts shall employ extruded sections with a powder-coated, baked enamel or clear anodized finish. Bronze anodized sections will not be allowed. Stainless steel finishes are discouraged, as they tend to discolor with age and weather. Any exposed wood shall be kiln dried, mill quality finish and naturally resistant to rot and decay. Wood finishes shall include but not necessarily be limited to alkyd based stains and paint, resistant to cracking, fading, peeling and chalking. Any wood material used for backing or blocking shall be protected, to resist rot and decay.
- 6. In some cases, Landlord's building columns occur along the storefront and are exposed to public view. Tenant's should incorporate these columns in their storefront design.
- 7. Entrances to a Tenant's space should be distinguished with a creative use of architectural ciements, materials, signage, graphics and lighting to create a grand or imposing entrance. Entrance doors should be manufactured of materials that complement the overall design. The use of revolving doors will not be allowed.
- 8. Awnings: Refer to the Awning section of these guidelines.
- 9. Tenants storefront closing systems must include clear transparent glass. Tinted, reflective or spandrel glass will not be permitted by the Tenants unless noted or allowed otherwise. Transom glass designed to go above a storefront awing must be clear and allow visibility into the Tenant's space. All textured, patterned or obscure glazing must be reviewed and approved by the Landlord. Storefront glazing systems are not permitted to be installed on grade. All glazing systems are required to be installed on a water-stopped concrete curb base with a durable tile or stone ver eer exterior facing.
- When a Tenant space is in a corner condition, or the Tenant's space is accessible from a perimeter street, as well as a main street or pla a both elevations must receive equal treatment.

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Exhibit I

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Burr Ridge Town Center

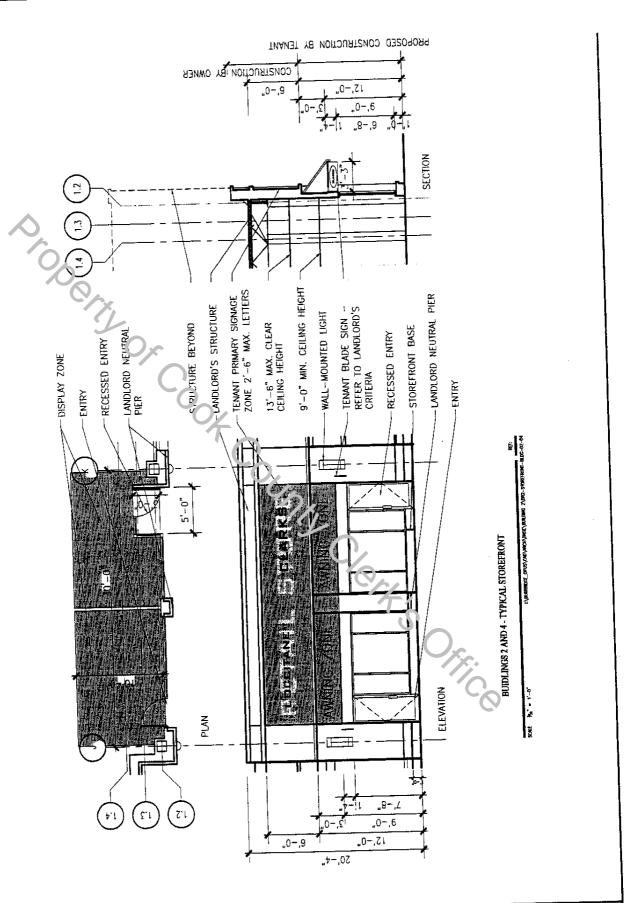


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Exhibit I

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Burr Ridge Town Center

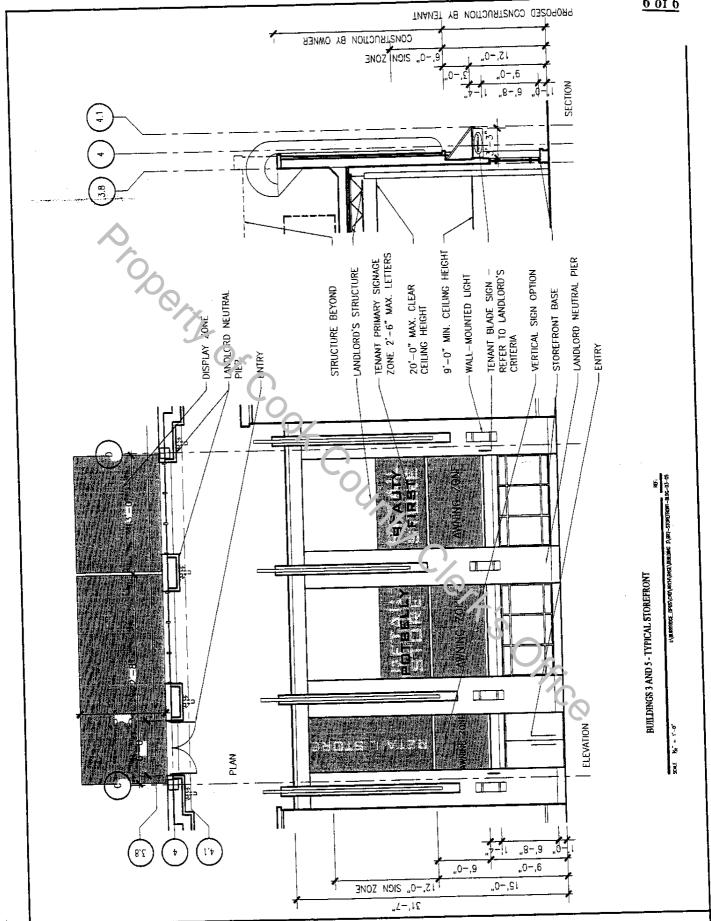


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Exhibit I

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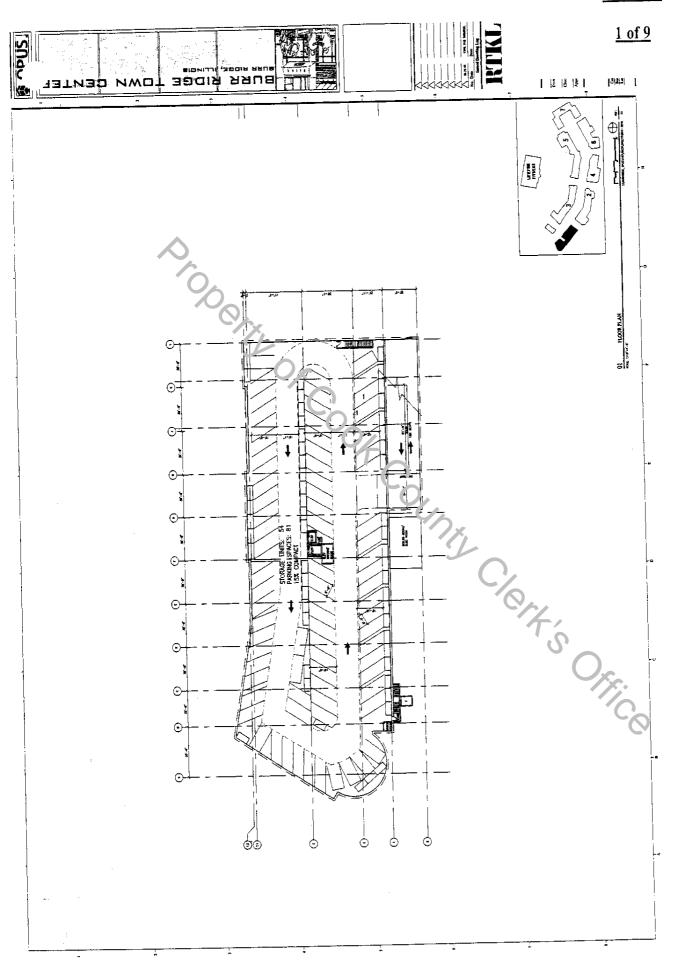
Burr Ridge Town Center



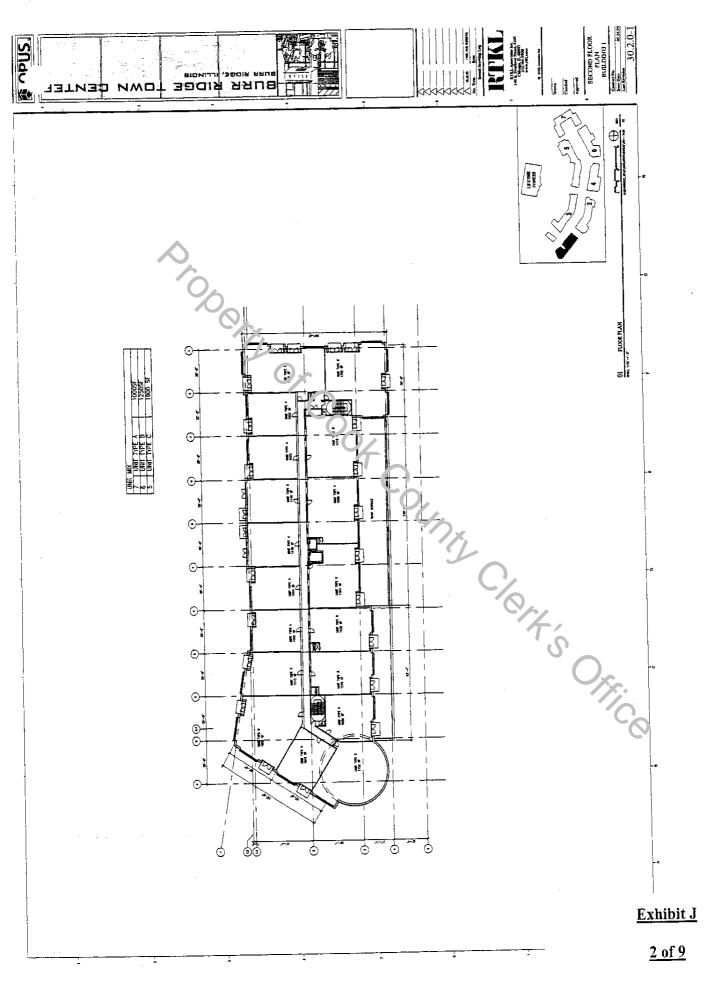
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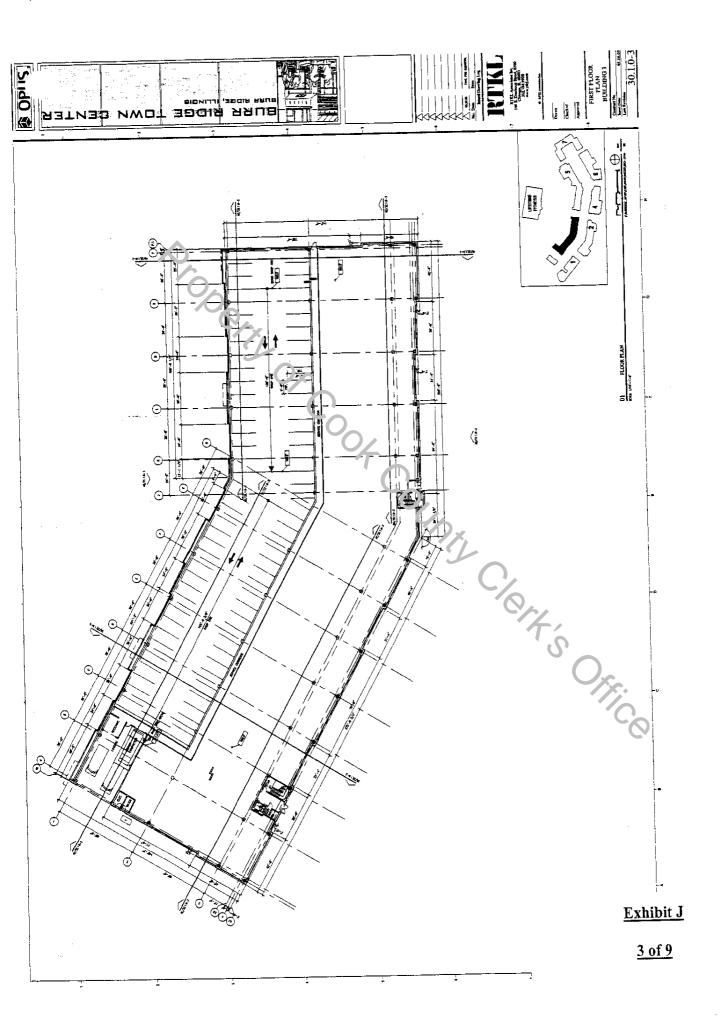
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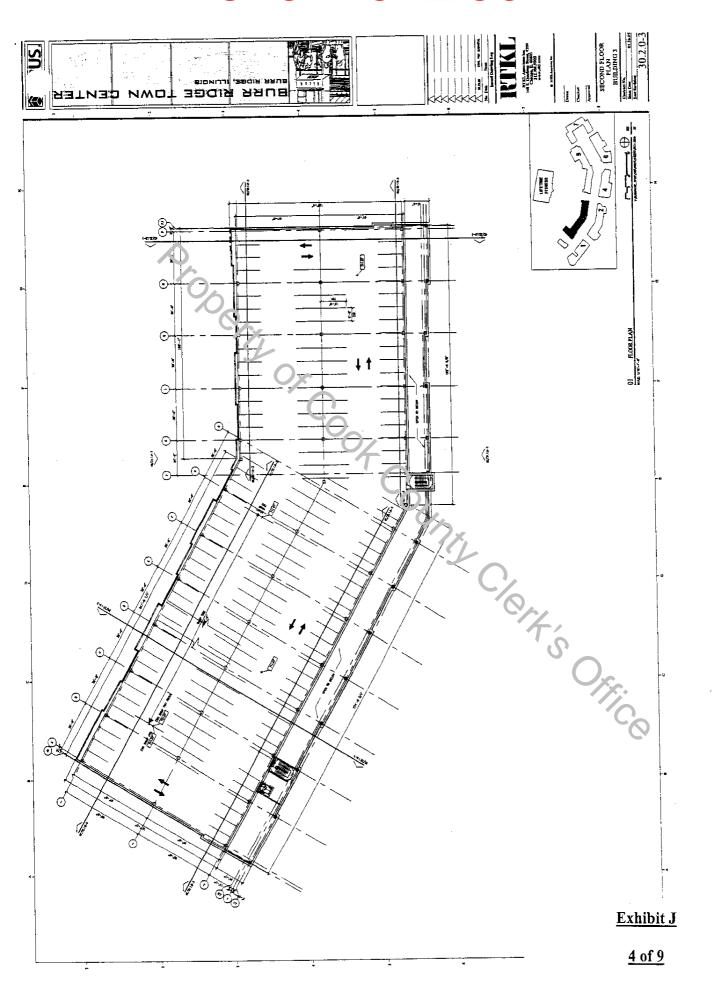
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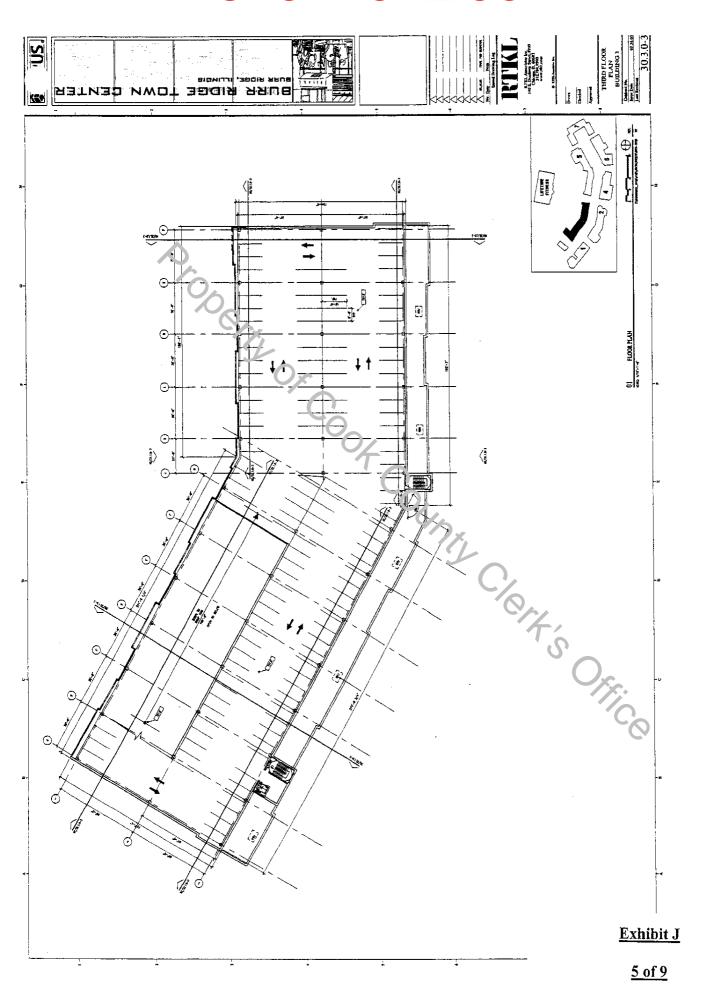


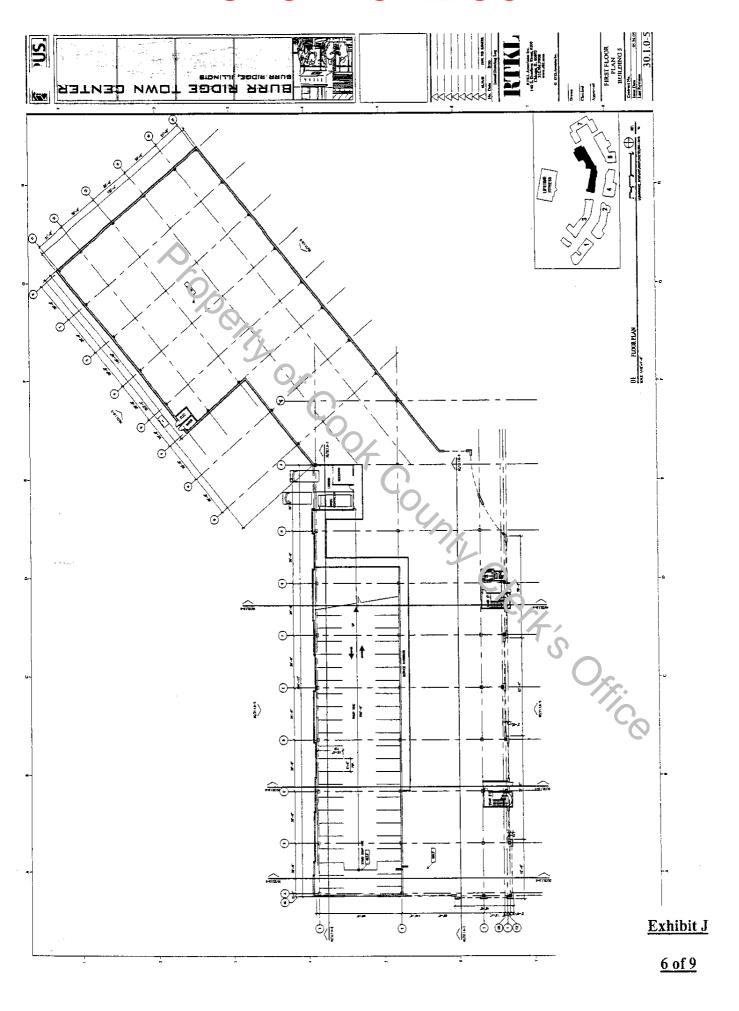
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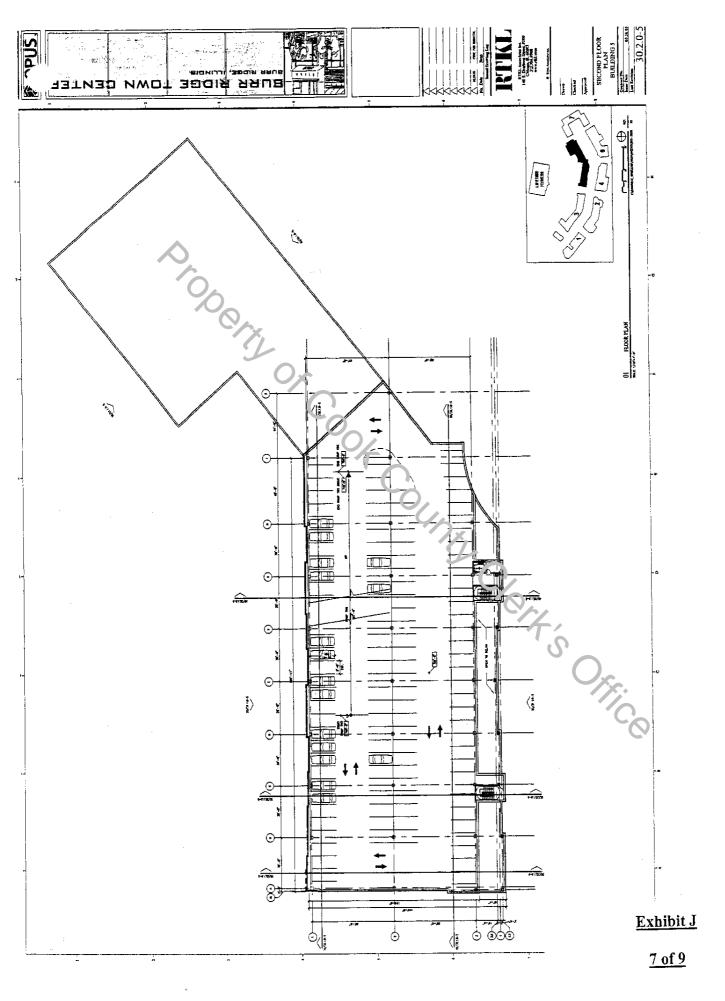


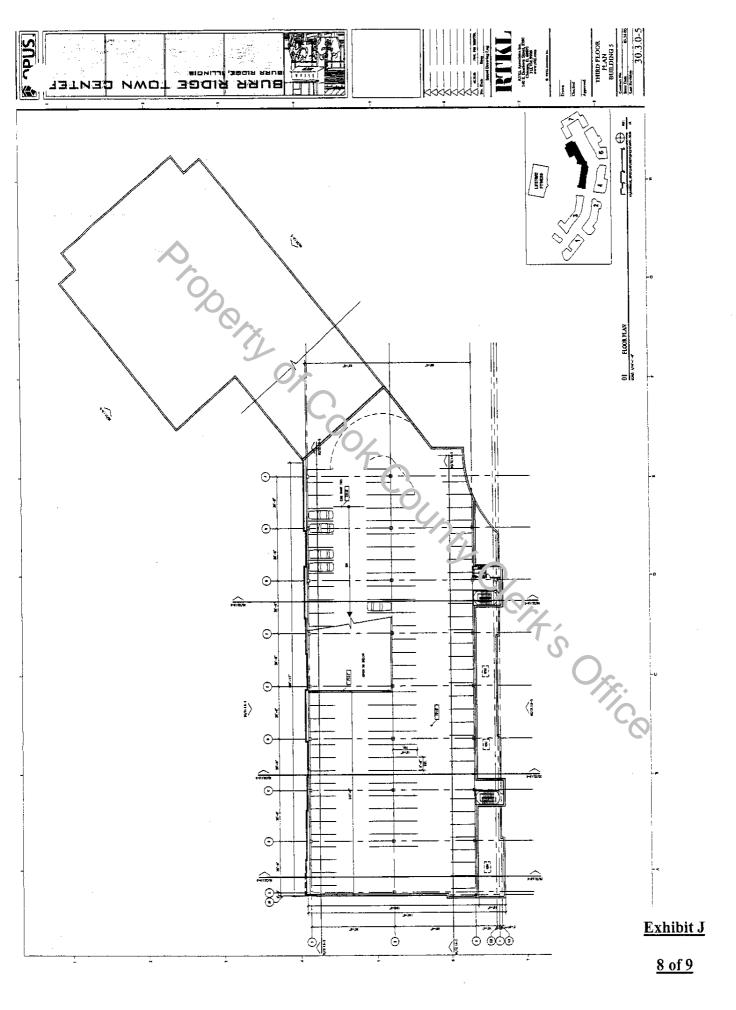












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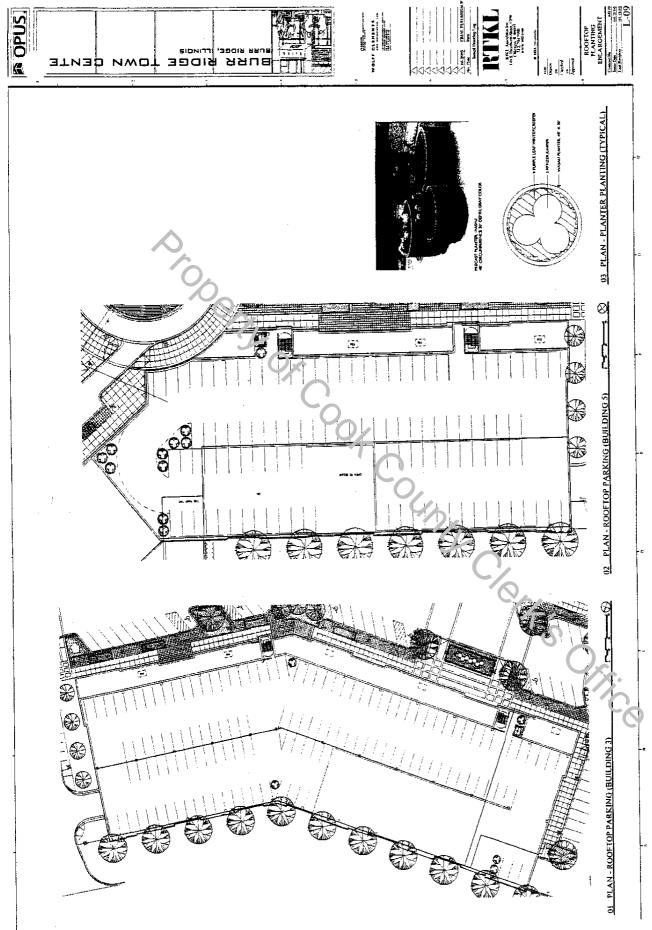
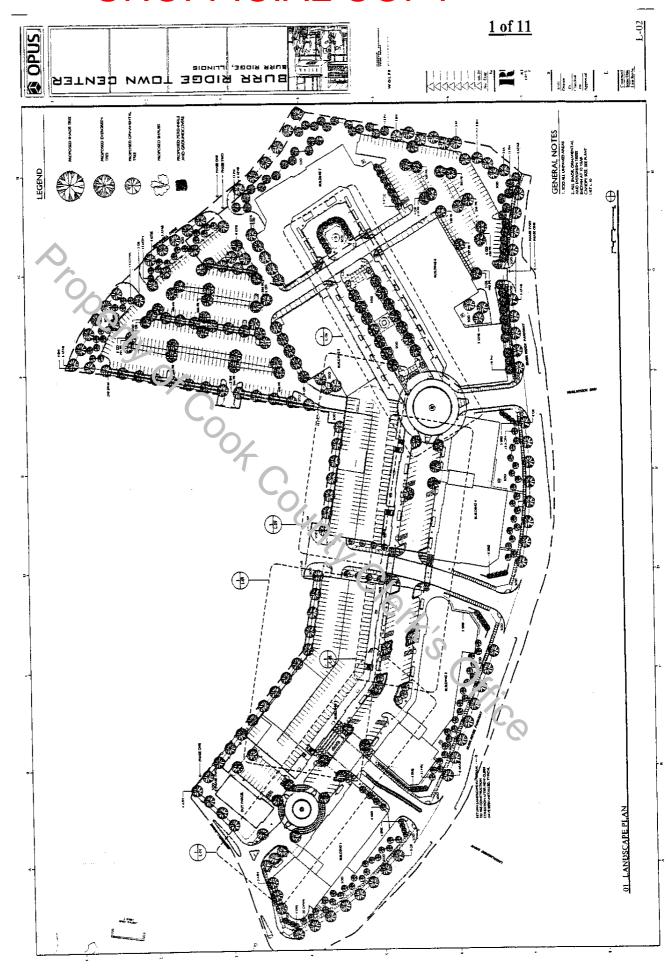


Exhibit J

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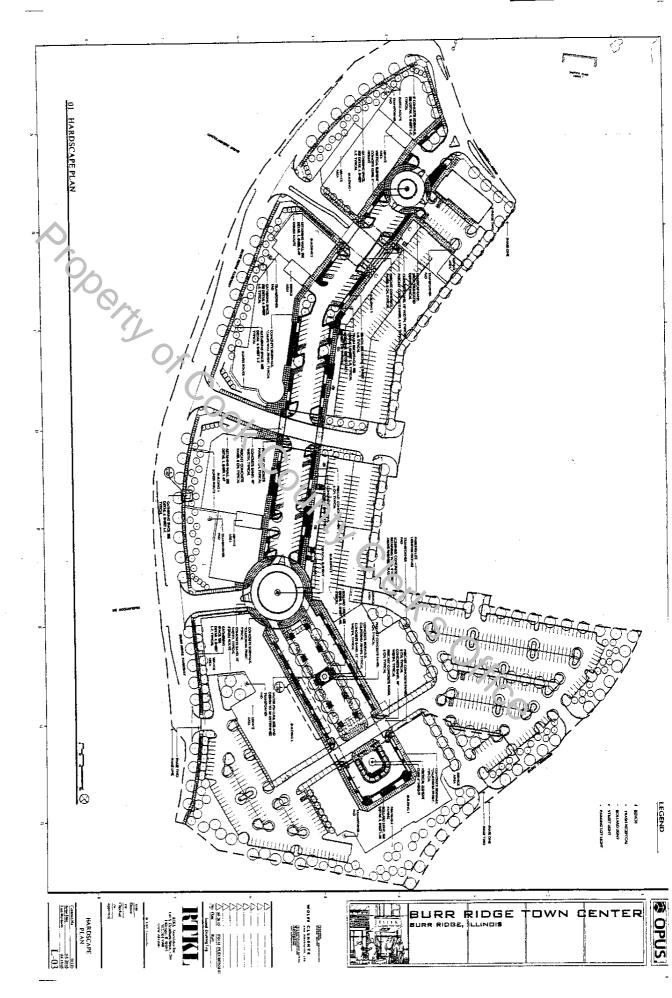
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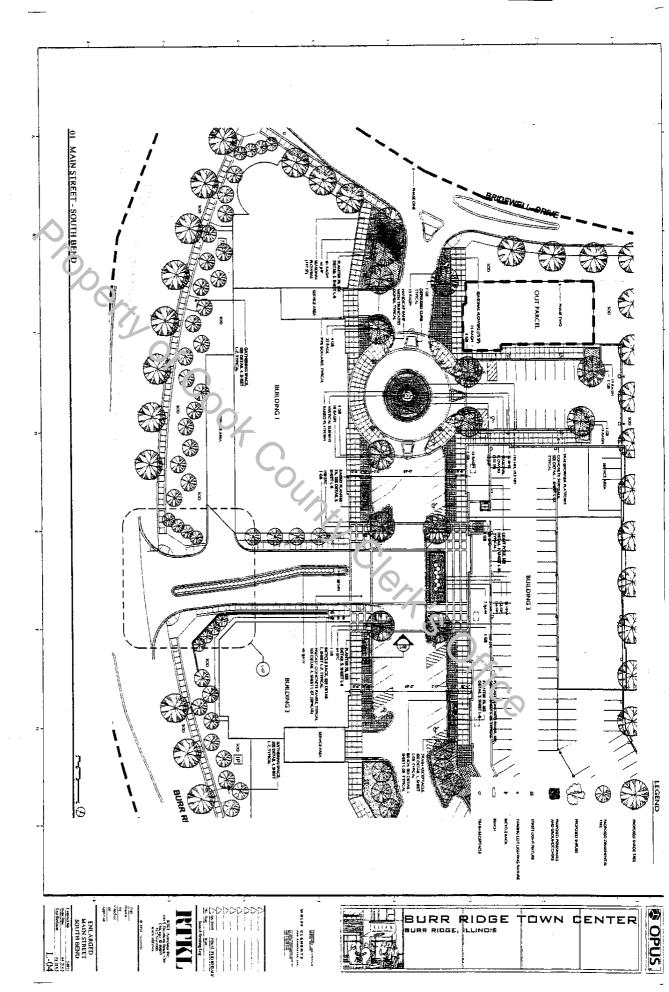
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