

UNOFFICIAL COPY

ORDINANCE NO. 0-52-92

AN ORDINANCE
GRANTING A SPECIAL USE FOR A PLANNED DEVELOPMENT
WHISPERING OAKS

DEVELOPMENT
T#8888 TRAM 9694 07/10/92 09:43:00 \$3.00
#9409 * - 92-503841
COOK COUNTY RECORDER

92503841

WHEREAS, upon petition of owners of said property, hearings were held by the Plan Commission of the Village of Palatine on March 17, 1992 in accordance with the Zoning Ordinance of the Village of Palatine, in such case made and provided, and said Plan Commission having made its findings in a written report to the President and Board of Trustees of the Village of Palatine;

NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Trustees of the Village of Palatine, Cook County, Illinois, acting in the exercise of their home rule power:

SECTION 1: That final approval of a Planned Development is hereby granted pursuant to Section 13.05 of the Palatine Zoning Ordinance for the real estate described as follows, to wit:

See Legal Description, Exhibit "E" attached hereto

Commonly known as the 2000 Old Hicks Road and the vacant 9.7 acres to the west and the vacant .75 acres located southeast of the Save-A-Pet facility located at 2019 N. Rand Road.

SECTION 2: That final Planned Development approval shall be subject to the following conditions:

1. The Planned Development shall be constructed to conform to the Final Engineering Plans attached hereto as Exhibit "A", the Final Landscape Plan attached hereto as Exhibit "B", and the Final Architectural Elevations attached hereto as Exhibit "C", except as such plans are changed to conform to the conditions outlined below.
2. Final approval from the Illinois Environmental Protection Agency shall be required prior to the modification of the existing wetland area located by Detention Basin No. 2 as shown on the Final Engineering Plans.
3. The proposed Declaration of Condominium Ownership shall be reviewed and approved by the Village Attorney prior to the issuance of building permits for the Planned Development.
4. The developer shall be required to grant a watermain easement to the Village of Palatine in a manner acceptable to the Village Engineer, upon completion of watermain installation and prior to issuing any occupancy permits for the proposed development.
5. All water lines, sanitary sewers, storm sewers, and storm water detention facilities shall be privately owned and maintained by the proposed Homeowners Association, with the exception of the sanitary sewer to be located along Old Hicks Road and the ten (10) inch watermain that will

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run through the property. The Declaration of Condominium Ownership shall be revised to reflect the private ownership.

6. An emergency access drive acceptable to the Fire Department between Building 12 and the commercial property shall be constructed prior to the issuance of building permits for Building 12.
7. The developer shall remit a \$500 cash bond for each dwelling unit prior to the issuance of building permits to insure the completion of the Planned Development.
8. A Letter of Credit in a form acceptable to the Village of Palatine and in the amount of \$527,446.60 shall be submitted to insure adequate completion of the public improvements, along with a ten (10) percent cash bond for the one (1) year maintenance period. Said Letter of Credit shall be submitted and approved before commencement of any site development and clearing and stripping operations.
9. No temporary occupancy permits shall be granted for a unit within the development until:
 - a. all landscaping has been installed (weather permitting) around the structure where the unit is located, and
 - b. required watermains, sanitary sewers, and storm sewers, and other drainage facilities have been installed and have been found acceptable to the Village.
10. All architecture, landscaping, screening, detention areas, and accessory embellishments throughout the development shall be maintained in a manner that is consistent with the original project plans. The Homeowners Association to be created shall have these responsibilities, with penalties as provided in the Palatine Zoning Ordinance.
11. All soil erosion and sedimentation control measures indicated on the soil erosion and sedimentation control plan, incorporated into the Final Engineering Plan, shall be implemented prior to the commencement of any site development and the clearing and stripping operations.
12. The following donations shall be given, due at the time of the issuing of building permits:

	Per 2-Bedroom Unit	Per 3-Bedroom Unit
Park District	\$348.23	\$438.32
School District 15	56.25	152.28
School District 211	11.94	29.01

If units containing less than two (2) or more than three (3) bedrooms are introduced, donations shall be given in accordance with Article V of the Village Subdivision Regulations.

13. The Final Engineering Plans shall be revised in a manner acceptable to the Village Engineer to regrade the existing berm along the north property line to allow storm water runoff to enter the detention basin on the subject property, prior to the issuance of building permits for the development.
14. The Final Engineering Plans and Final Landscape Plan shall be revised in a manner acceptable to the Village Engineer to show a landscape berm along the north

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property line, prior to the issuance of building permits for the development.

15. An emergency cross-access easement agreement with the commercial property owner shall be submitted in a form and acceptable to the Village Administration prior to the issuance of building permits for the development.
16. The Final Engineering Plans shall be revised in a manner acceptable to the Village Engineer to show a public sidewalk along the Old Hicks Road frontage.
17. The developer shall contribute \$264/unit which is 100 percent of the costs attributed to the future roadway improvements along the 400 feet of Old Hicks Road prior to the issuance of building permits for the development.

SECTION 3: That the petition for special use, a copy of the public notice, and the report of the Plan Commission reporting on this petition be attached hereto and form a part of this ordinance.

SECTION 4: This ordinance shall be in full force and effect on April 28, 1992.

PASSED: This 13 day of April, 1992

AYES: 5 NAYS: 0 ABSENT: 1 PASS: 0

APPROVED by me this 13 day of April, 1992



President of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk this 13
day of April, 1992



Village Clerk

COOK COUNTY RECORDER

03811

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EXHIBITS "A", "B", AND "C" ARE FILED IN THE OFFICE OF THE VILLAGE
CLERK, VILLAGE OF PALATINE, 200 E. WOOD STREET, PALATINE, IL.,
60067

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LEGAL DESCRIPTION

PARCEL 1:

The south 100 feet of the North 700 feet of the East 871.2 feet of the South 1/2 of the Northeast 1/4 of Section 2, Township 42 North, Range 10 East of the Third Principal Meridian; also

PARCEL 2:

The South 100 feet of the North 1000 feet of the East 871.2 feet of the South 1/2 of the Northeast 1/4 of Section 2, Township 42 North, Range 10 East of the Third Principal Meridian; also

PARCEL 3:

That part of Section 2, Township 42 North, Range 10, East of the Third Principal Meridian, described as follows: Commencing at the intersection of the East and West Quarter line with the Center line of Rand Road, said intersection being 1514.39 feet West of the East line of said section measured on said East and West 1/4 line, thence Southeast along the Center of said Rand Road, said Center line forming an angle of 47°-00'-30" with the East and West quarter line of said section, a distance of 38.40 feet to an angle in the Center line of said Rand Road; thence Southeast along the Center line of Rand Road, said Center line forming an angle of 04°-24'-30" to the right with a prolongation of the last described coarse for a distance of 116.57 feet; thence North east on a line that forms an angle of 94°-24'-30" to the left with a prolongation with the last described coarse, a distance of 739.87 feet to a point in a line that is 871.20 feet West of and parallel to the East line of said Section 2; thence North parallel to the East line of said Section 2, 99.17 feet to a point that is 875.88 feet South of the North line of the South 1/2 of the Northeast 1/4 of said Section 2; thence Northwest on a line that forms an angle of 79°-55'-30" to the left with the prolongation of the last described coarse, a distance of 33.52 feet to the place of beginning; thence continuing Northwesterly on the last described line a distance of 125.89 feet; thence Southwesterly on a line that forms an angle of 52°-36'-53" to the left with the prolongation of last described coarse a distance of 346.20 feet, thence Southeast on a line forming an angle of 90° with the last described coarse a distance of 100 feet; thence Northeasterly on a line that forms an angle of 90° to the left with the prolongation of the last described coarse a distance of 423.86 feet to the place of beginning, in Cook County, Illinois; also

PARCEL 4

The South 200 feet of the North 900 feet of the East 871.2 feet of the South 1/2 of the Northeast 1/4 of Section 2, Township 42 North, Range 10 East of the Third Principal Meridian, situated in the Township of Palatine, Cook County, Illinois, (said land also described as follows: beginning at a point on the East line of the South 1/2 of the Northeast 1/4 of Section 2, Township 42 North, Range 10 East of the Third Principal Meridian, 700 feet South of the Northeast corner thereof, thence South along said East line 200 feet, thence West parallel with the North line of said South 1/2 of the Northeast 1/4, 871.2 feet, thence North parallel with the East line thereof, 200 feet, thence East parallel with the North line thereof, 871.2 feet to the point of beginning; also

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Legal Description -

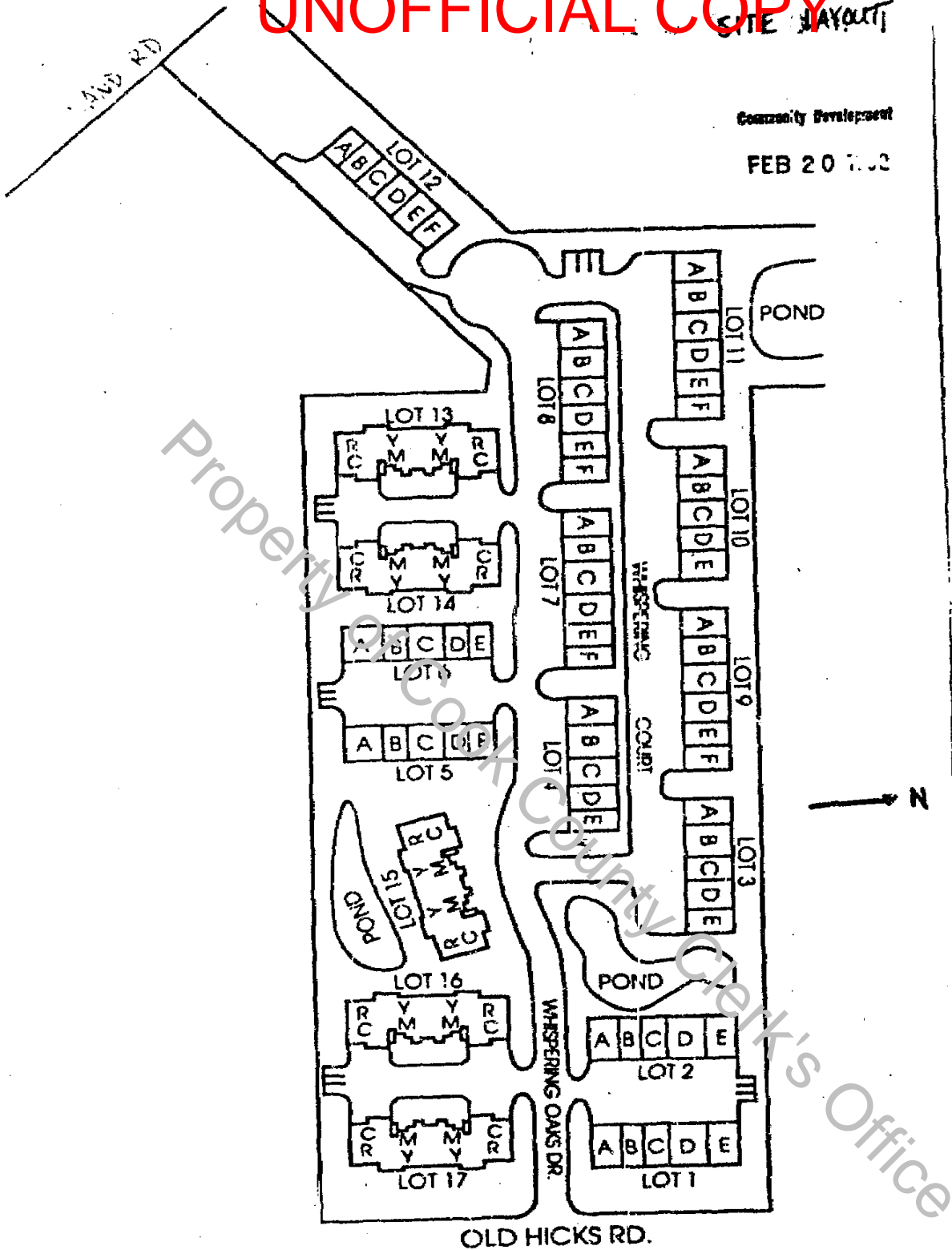
PARCEL 5:

That part of Section 2, Township 42 North, Range 10 East of the Third Principal Meridian, described as follows: Beginning on the North line of the South 1/2 of the Northeast 1/4 of Section 2, .871.2 feet west of the Northeast corner of the South 1/2 of the Northeast 1/4 of said Section, thence south parallel with the East line of said Section 416 feet to a point of beginning, thence South parallel with the east line of said Section 419.88 feet, thence Northwest on a line that forms an angle of $100^{\circ}-4-1/2'$ to the right with a prolongation of the last described coarse for a distance of 159.41 feet, thence North parallel to the East line of said Section 57.15 feet, thence East parallel to the North line of the South 1/2 of the Northeast 1/4 of said Section 157.03 feet to the point of beginning (the North 33 feet and the East 33 feet and the South 10 feet of said parcel to the left open for use as roads); all in Cook County, Illinois.

UNOFFICIAL COPY SITE LAYOUT

Community Development

FEB 20 1992



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8-1-92

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Plan Commission
March 17, 1992

page 2

RECOMMENDATION

Mrs. Meller moved, Greenless seconded that the plan commission recommend that the village board approve the request of Regency Plaza Partnership to amend PUD Ordinance O-24-86 to permit attached signage on the south building elevation of Regency Plaza Shopping Center at the northeast corner of Quentin rd. and Euclid ave.

Those voting aye: Mrs. Meller, Greenless, Antrim.
Those voting nay: Mrs. Hayes, Mrs. Huening, Dwyer.

The motion fails by virtue of a tie vote, and the petition will be forwarded to the village board with no recommendation.

Dwyer said he agrees with Mrs. Hayes' rationale. He feels the shopping center is supposed to be low key and the tenants know the rules of the center when they rented the space.

REPORT OF PUBLIC HEARING - Docket P-92-16 - Whispering Oaks, Inc.

The notice of public hearing was read by the chairman. The petitioner, Whispering Oaks, Inc. seeks favorable recommendation for preliminary and final PUD plans for a 17-building multi family residential development with 105 dwelling units; rezoning from R1 to P1; rezoning from R1 to R5 for two parcels, one of 9.7 acres located at 2000 Old Hicks rd., and .75 acres southeast of the Save-A-Pet facility at 2019 N. Rand rd.

The following petitioner's exhibits were introduced:

1. Petition for hearing - 2000 Old Hicks rd.
2. Palatine Real Estate Interest Disclosure Form
3. Land Trust notice
4. Affidavit
5. Petition for hearing - 2015 N. Rand rd.
6. Palatine Real Estate Interest Disclosure Form
7. Affidavit
8. Title Insurance
9. Agreement of Purchase and Sale
10. Site Improvement Phasing
11. Intended Construction
12. Building Phasing
13. Market Study
14. Landscape Plan
15. Preliminary Engineering
16. Architectural Drawings

Mike Cassidy described surrounding uses and zones and gave background and analysis of the site which is currently zoned R4 in Cook county.

north	Save-A-Pet Animal Shelter	C8 (Cook County)
east	Old Hicks Road and unincorporated residential	R8 (Cook County)
south	Rand Grove Village	R7 (Cook County)
west	Rand Road and unincorporated residential	R3 (Cook County)

The Palatine comprehensive plan recommends the large parcel be developed with medium density multi family and the smaller parcel be developed commercial. The majority of the property is vacant with the exception of an abandoned farm house and accessory buildings. The property is approximately half a mile from the Rand Road and Old Hicks rd. intersection. Existing mature trees on the perimeter of the parcel are mostly on adjacent property. A small wetland is located at the north part of proposed Basin #2. The petitioner has consulted with the Army Corps of Engineers about this and received a Corps permit to allow modifications to create the detention pond March 16, 1992. Other North Cook County Soil and Water Conservation District concerns are addressed in a letter dated February 19, 1992 from the petitioner's engineer.

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plan commission
march 17, 1992

page 3

Future development of the property is governed by a decision handed down by the Circuit Court of Cook County on January 6, 1991 permitting development with multi family apartment units on 9.75 acres and commercial on the .75 acres on Rand rd.

The property will be contiguous to the village when the Save-A-Pet facility is annexed, the hearing for which is scheduled for April 13, 1992.

The petitioner intends to build 63 townhome units in 12 buildings and 40 coachhome condominiums in five buildings. All units will be privately owned. A Fiscal Impact Study has been introduced. It anticipates that 217 residents will live in the development. Gross density would be 10 units per acre with 5.3 acres covered by buildings and 8.3 acres of open space, 5.4 acres of which is usable. The ordinance requires 210 parking spaces, and the developer proposes 355, 170 covered, 185 open.

Access would be from Old Hicks Road, aka Long Grove rd. and from there by private street which will terminate in a cul-de-sac. Access from the commercial tract on Rand rd. will be prohibited, but a 10-foot emergency access easement is proposed along the southern end of the commercial strip. The developer proposes to arrange coachhomes in eight units per building with a single car garage for each unit. Townhomes will be grouped six to a building with a two-car garage for each unit. All 17 buildings will be two stories tall. Two- or three-bedroom units will be available. Price range will be from \$91,900 for the coachhomes to \$109,900 for the townhomes. A Phasing Schedule indicates completion by December, 1993.

An 8-inch sanitary sewer will connect to an existing sanitary sewer along Old Hicks rd. north of the site. A provision will be made so that the proposed commercial portion of this project can be serviced by this sewer which will be privately owned and maintained by a Homeowners Association.

The water system will include a 10-inch line that will interconnect to an existing 12-inch main along Old Hicks rd. and then to an existing 10-inch main along Rand rd. This proposed loop will improve water service reliability and fire protection for the area west of this site, including Foxfire, Pine Creek, UPS. An easement will be dedicated for this watermain which the village will own and maintain. All other water mains on the site will be privately owned.

A storm sewer system and detention basin will be provided that has been designed in accordance with village and Metropolitan Water Reclamation District criteria. The storm sewer will ultimately discharge into an existing storm sewer located along Old Hicks rd. Final engineering plans propose three dry storm water detention basins which will remain under private ownership and maintenance responsibility.

No land use is proposed for the commercial property at this time.

Commissioners noted that with a court order, Palatine has little option. This development does conform to the court order.

The following persons were sworn in to speak on behalf of the petition:

Carl Bongiovanni, President of Bongi Development and Whispering Oaks;
Feder Finnberg, PAF & Associates, engineers;
Steve Goodman, Project Manager, Whispering Oaks.

Finnberg explained the engineering plans, stating the three detention sites would be dry bottom. He said bad soil on the property will be removed. He disagrees with much of the North Cook Conservation District report of soils.

Cassidy said engineering plans conform to village, state, and Water Reclamation District requirements.

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plan commission
march 17, 1992

page 4

Carol Behrens, 45 Oak Ridge rd., said she has problems with kids cutting through her property which is accessed by a private road serving five homeowners north of the parcel. She would like a barrier built by the developer to keep this from becoming a thoroughfare for both pedestrians and cars.

Bongiovanni said he had no plans for a barrier.

Keith Nielsen, 1908 Capri Drive, Pinhurst Subdivision, said Pinhurst already has a problem with its lift station. He was assured that engineering plans for this development call for gravity flow, so nothing will go through his lift station. He is also concerned about traffic. Cassidy said the township is being consulted about this project. If annexed, the road abutting the parcel will become a village road. He said a breakdown fence will be built at the rear of the commercial property for emergency access.

Marge Hays, Coach rd., pointed out that Old Hicks rd. is a rural, unimproved with sidewalk, curb, or gutter thoroughfare.

Cassidy said no improvements are proposed for Old Hicks.

Mike Reine, 2046 Wainwright ct., was told a traffic impact study had not been done. He is concerned also about access for construction traffic which will have to use Old Hicks rd., as well as safety precautions being taken by the developer for future residents. He fears an increase in crime. Cassidy said the crime prevention officer looks at plans as a matter of course.

Greg Behrendt, Vice President of the Fair Meadows Community Association, noted that Oase Park is accessed by Old Hicks rd. One hundred thirty-nine homeowners use this road and they don't want construction traffic on an unimproved road that is currently in poor shape. He added that the Association is currently polling residents to ascertain their willingness to annex if the Bongt parcel is annexed.

Michael Connel, 2190 Coach rd., referenced Menard's at the corner of Old Hicks rd. and Rand (formerly the site of Knoppers Nursery.) Cassidy said the corner will be improved by Menards with a turn lane. He said the village has a good working relationship with the township staff.

James Gerall, 2021-31 Rand rd., said he is interested in recapture arrangements for the water line he put in on Rand rd. in his two carwashes.

Mrs. Meller said she would like the developer to work with the residents to the north to provide a fence to keep trespassers out.

Cassidy read the staff recommendation (Attachment 1).

Bongiovanni said he agrees with staff conditions.

The public hearing was closed at 9:45 p.m.

Mrs. Hayes said she is concerned that two policies are being circumvented by this proposal:

1. A buffer must be provided between single family and multi-family.
2. Sidewalks are required in the village. She feels sidewalk should be put in on the west side of Old Hicks rd. on the 400 foot length of this development.

When discussing the poor quality of the road, Cassidy said he foresees the road being improved by special assessment, but he is unable to speak for the township.

Greenless said he feels improvements should go in all at once, rather than piecemeal.

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plan commission
march 17, 1992

page 5

RECOMMENDATION

Mrs. Hayes moved, Mrs. Huening seconded that the plan commission recommend to the village board that it approve the petition of Whispering Oaks, Inc. for preliminary and final PUD plans for a 17-building multi family development with 105 dwelling units, rezoning from R1 to P for 9.75 acres at 2000 Old Hicks rd. and R1 to B5 for .75 acres at 2019 N. Rand rd. with staff conditions contained in Attachment 1 and two additional conditions:

1. The developer shall provide a buffer on the north boundary of the 9.75 acre parcel;
2. The developer shall provide a sidewalk or walkway on the property line on the west side of Old Hicks rd.

Unanimously carried.

The meeting adjourned at 10:20 p.m.

Nancy Meyer McKenzie
secretary

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DEPARTMENT OF COMMUNITY DEVELOPMENT
VILLAGE OF PALATINE

PRELIMINARY AND FINAL PLANNED DEVELOPMENT (SINGLE STEP)

LEAVE BLANK	
Zoning Docket No. _____	
Property Recorded in Torrens? Y N	
Filing Fee \$ _____	Date Filed _____

PETITION FOR HEARING

Community Development

DEC 20 1991

Please type or print clearly in ink.

- Name of Petitioner(s): WHISPERING OAKS INCORPORATED
Address: 651 FIRST BANK DRIVE PALATINE ILLINOIS 60067
City State ZIP
Telephone: 708-991-5020 Business Telephone: 708-991-5020
- Authorized Agent of petitioner (if different):
Name: CARL FONGIOVIANNI
Address: 651 FIRST BANK DRIVE PALATINE ILLINOIS 60067
City State ZIP
Telephone: 708-991-5020 Relationship to petitioner: PRESIDENT OF CORPORATION
- Property Interest of Petitioner (circle one)
 Owner Lessee Contract Purchaser Other: _____
- Address or location of the property for which this petition is being filed:
2000 OLD HICKS ROAD PALATINE ILLINOIS 60067
- All existing land uses on the property are: RESIDENTIAL
- Current zoning of the property: RES. Size of the property: 9.7 acres
- Briefly describe the proposed Planned Development with regard to types of uses proposed, number and types of units, development mix, amenities to be provided, etc.:
105 TOTAL UNITS
65 TOWNHOMES WITH TWO CAR GARAGES
40 COACH HOMES WITH ONE CAR GARAGES
NO AMENITIES PROVIDED
HOMEOWNER'S ASSOCIATION

PETITIONER'S EXHIBIT

Continued on back

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8. Describe any variations from the Village Ordinances which would be required if the proposed Planned Development were to be developed as a traditionally zoned project (if any): The Property is multi-family fits in with the area due to the fact that the is multi-family on the north and south side of the parcel and commercial on the west. There will be 20' and 25' setbacks off of Old Hicks Road instead of the required 30' in R-3A zoning.

9. The attached Checklist of Documents outlines all required submittals before a project may be scheduled for the required public hearing by the Plan Commission. All required documents must be submitted with this petition. Return the completed checklist along with the required submittals. All documents are subject to staff review and approval before the item is scheduled for a public hearing.

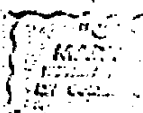
10. The petitioner's signature below indicates that the information contained in this application and on any accompanying documents is true and correct to the best of his/her knowledge.

Date: March 13, 1978

[Signature]

SUBSCRIBED and SWORN to before me this 13th day of March, 1978.

[Signature]
Notary Public



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Community Development

VILLAGE OF PALATINE REAL ESTATE INTEREST DISCLOSURE FORM

DEC 20 1991

(Please check applicable proceeding)

Annexation Restoring Special Use
 Variation Condemnation Other

1. Name of Disclosing Party (Individual, business firm, partnership, corporation, etc.)

WHISPERING OAKS CORPORATION

2. Address of Disclosing Party

651 FIRST BANK DRIVE

PALATINE, ILLINOIS 60067

3. Brief description of the partition

ANNEX THE PROPERTY INTO THE VILLAGE, FOR THE PURPOSE OF DEVELOPING A PUD.

4. County street address of real estate or general description

2000 OLD HICKS ROAD PALATINE, ILLINOIS 60067

5. Legal description of real estate

PETITIONER'S EXHIBIT

5a. PLEASE PROVIDE PROOF AS TO WHETHER OR NOT THIS PROPERTY IS SUBJECT TO TORRENS ACT.

* 2

6. The name, address, legal nature, and extent of interests of any persons deriving an interest from or through the disclosing or filing party

Name	Address	Legal Nature and Extent of Interest
(a) Darrel Peters Production	<u>135 E. County Line Road</u> <u>Barrington, IL 60010</u>	<u>Land Owner</u>
(b)		
(c) Suburban National Bank Palatine		<u>Owner</u>
<u>Trust # 5982</u>		
(d)		

(If additional space is required, please use reverse side of attach rider)

7. "I swear (or affirm) that there are no other persons deriving any interest from or through me or from or through any other person or entities above set forth in the property which is the subject of the contract or application for which I am filing this disclosure notice whom I have not disclosed. I understand that if there are any changes in the interest disclosed in this disclosure notice during the term of the subject contract or before the Village has taken final action on the matter for which this disclosure notice is filed, I shall file a subsequent disclosure notice disclosing such changes."

SUBSCRIBED and SHOWN to
before me this 20th day
of Dec, 1991

[Signature]
Signature of Disclosing Party

Mary E. Steindach
Notary Public

"OFFICIAL SEAL"
MARY E. STEINDACH
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 6-22-93

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Community Development

DEC 20 1991

NOTICE TO TRUSTEES AND BENEFICIARIES OF LAND TRUSTS

YOU ARE HEREBY NOTIFIED and directed to identify every owner and beneficiary of the land trust relating to land for which your application is made.

Pursuant to Ch. 148, Sec. 72 of the Illinois Revised Statutes, the identity of each beneficiary of a land trust must be disclosed upon application to the Village of Palatine for any benefit, authorization, license or permit relating to the land which is the subject of such trust. Such application shall identify each beneficiary by name and address and define his interest therein. Such application shall then be verified by the land trustee, as applicant, or by the beneficiary as a beneficial owner of an interest in such land trust.

VILLAGE OF PALATINE

By: _____ Title

IDENTIFICATION OF LAND TRUST BENEFICIARIES

Name of Land Trust (including bank, number, and date):
SUBURBAN NATIONAL BANK OF PALATINE TRUST #5982 DATED 9/30/91

The following named persons constitute all beneficiaries of the land trust described above, together with each person's interest therein, holding title to the property, commonly known as 2000 OLD HICKS ROAD PALATINE, ILLINOIS 60067

for which the attached application is filed with the Village of Palatine:

Name	Address	% of Interest
CARL BONGIOVIANNI	651 FIRST BANK DRIVE PALATINE, ILLINOIS 60067	100

The undersigned, being first duly sworn on oath, does hereby verify that the above and foregoing is a complete list of all persons owning a beneficial interest in the above-named land trust.

SUBSCRIBED and SWORN to before me
this 20th day of Dec, 1991

Mary E. Steindach
Notary Public

"OFFICIAL SEAL"
MARY E. STEINDACH
NOTARY PUBLIC, STATE OF ILLINOIS
COMM. EXPIRES 12/31/93

Carl Bongiovianni

PETITIONER'S EXHIBIT

3

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Community Development

DEC 20 1991

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

AFFIDAVIT

CARL BONGIOVIANNI (an individual or
the PRESIDENT of WHISPERING OAKS CORPORATION)
title of office name of firm or corporation

being first duly sworn, on oath, deposes and says:

1. WHISPERING OAKS CORPORATION has filed with the
Village of Palatine, concurrently herewith, a petition for ANNEXATION OF A PUD INTO THE VILLAGE OF PALATINE *

with respect to the property located at 2000 OLD HICKS ROAD PALATINE, ILLINOIS 60067

2. Affiant is the PRESIDENT of
WHISPERING OAKS CORPORATION (for corporations, firms or
name of firm or corporation partnerships only).

3. Affiant has received and examined a true copy of Sec. 2-442 of the Village of Palatine Code of Ordinances entitled "Disclosure statements and conflict of interest disclaimers."

4. Affiant understands said Section of the Code of Ordinances and states that he (or his corporation) has not retained, nor will be represented by, any person in violation of said Section.

Carl Bongiovianni

SUBSCRIBED and SWORN to
before me this 20th day
of Dec, 1991.

Mary E. Steinbach
Notary Public

"OFFICIAL SEAL"
MARY E. STEINBACH
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 4-22-92

*state the purpose of the petition, i.e., rezoning, variation, zoning change, special use, planned development, etc.

PETITIONER'S EXHIBIT

4

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Public Notice

A public hearing will be held before the Palatine Plan Commission on Tuesday, March 17, 1992 at 8:00 PM in the Village Boardroom of the Palatine Community Center, 200 East Wood Street, relative to a request for Preliminary and Final Planned Development approval for a seventeen (17) building multi-family residential development with a total of 105 dwelling units (85 townhome units and 20 coach homes) to be known as Whispering Oaks. The main portion of the property is proposed to be rezoned from "R-1" Single Family Residential District to "P" Planned Development District, after annexation. Also a small portion of the property along Rand Road is proposed to be rezoned from "R-1" Single Family Residential District to "B-5" Highway Business District, after annexation.

PARCEL 1: The South 100 feet of the North 700 feet of the East 871.2 feet of the South 1/4 of the Northeast 1/4 of Section 2, Township 42 North, Range 10 East of the Third Principal Meridian;

PARCEL 2: The South 100 feet of the North 1000 feet of the East 871.2 feet of the South 1/4 of the Northeast 1/4 of Section 2, Township 42 North, Range 10 East of the Third Principal Meridian;

PARCEL 3: That part of Section 2, Township 42 North, Range 10, East of the Third Principal Meridian, described as follows: Commencing at the intersection of the East and West quarter line with the center line of Rand Road, said intersection being 1514.39 feet West of the East line of said section measured on said East and West 1/4 line, thence Southeast along the center of said Rand Road, said center line forming an angle of 47°-00'-30" with the East and West quarter line of said section, a distance of 38.40 feet to an angle in the center line of said Rand Road, thence Southeast along the center line of Rand Road, said center line forming an angle of 04°-24'-30" to the right with a prolongation of the last described course for a distance of 116.87 feet, thence Northeast on a line that forms an angle of 84°-24'-30" to the left with a prolongation with the last described course, a distance of 736.87 feet to a point in a line that is 871.20 feet West of and parallel to the East line of said Section 2, thence North parallel to the East line of said Section 2, 99.17 feet to a point that is 636.88 feet South of the North line of the South 1/4 of the Northeast 1/4 of said Section 2; thence Northwest on a line that forms an angle of 79°-55'-30" to the left with the prolongation of the last described course, a distance of 33.52 feet to the place of beginning, thence continuing North westerly on the last described line a distance of 125.89 feet; thence Southeast on a line that forms an angle of 82°-36'-55" to the left with the prolongation of last described course, a distance of 701.70 feet to the center of Rand Road, thence Southeast on the center line of Rand Road said center line forming an angle of 90° with the last described course a distance of 83.48 feet to an angle in the center line of said Rand Road, thence Southeast along the center line of said Rand Road, said center line forming an angle of 04°-24'-30" to the right with the prolongation of the last described course for a distance of 10.87 feet, thence Northeast on a line that forms an angle of 84°-24'-30" to the left with the prolongation of the last described course a distance of 778.80 feet to the place of beginning, in Cook County, Illinois.

PARCEL 4: The South 200 feet of the North 900 feet of the East 871.2 feet of the South 1/4 of the Northeast 1/4 of Section 2, Township 42 North, Range 10 East of the Third Principal Meridian, situated in the Township of Palatine, Cook County, Illinois, (said land also described as follows: Beginning at a point on the East line of the South 1/4 of the Northeast 1/4 of Section 2, Township 42 North, Range 10 East of the Third Principal Meridian, 700 feet South of the Northeast corner thereof, thence South along said East line 200 feet, thence West parallel with the North line of said South 1/4 of the Northeast 1/4, 871.2 feet, thence North parallel with the East line thereof, 200 feet to the point of beginning);

PARCEL 5: That part of Section 2, Township 42 North, Range 10 East of the Third Principal Meridian, described as follows: Beginning on the North line of the South 1/4 of the Northeast 1/4 of Section 2, 871.2 feet West of the Northeast corner of the South 1/4 of the Northeast 1/4 of said section, thence South parallel with the East line of said section 416 feet to a point of beginning, thence South parallel with the East line of said section 419.88 feet, thence northwesterly on a line that forms an angle of 100°-45' to the right with a prolongation of the last described course for a distance of 158.41 feet, thence North parallel to the East line of said section, 393.15 feet, thence East parallel to the North line of the South 1/4 of the Northeast 1/4 of said Section 187.03 feet to the point of beginning, the North 33 feet and the East 33 feet and the South 10 feet of said parcel to the left open for use as roads; sit in Cook County, Illinois.

Commonly known as 2000 Old Hooks Road and the vacant 8.7 acres to the west and the vacant .75 acres located southeast of the Save-A-Pet facility located at 2019 N. Rand Road.

The above petitions have been filed jointly by Whispering Oaks Development, Inc., Carl Bongiovanni, President, and by Darrel Peters, and is available for examination in the office of the Village Clerk, 200 East Wood Street. Zoning Docket: P-92-16

Village of Palatine
DENNIS DWYER, Chairman
Palatine Plan Commission

DATED This 2nd day of March, 1992
Published in Palatine Herald Mar. 2, 1992

CERTIFICATE OF PUBLICATION
PADDOCK PUBLICATIONS, INC.

Daily Herald

organized and existing under and by virtue of the laws of the State

HEREBY CERTIFY that it is the publisher of DAILY HERALD.

HERALD is a secular newspaper and has been published daily in Palatine

Cook

is, continuously for more than one year prior to, on and since the publication of the notice hereinafter referred to and is of general character throughout said Village, County(ies) and State.

that DAILY HERALD is a newspaper as defined in "an Act to revise the laws relating to notices" as amended by Act approved July 17, 1959-III.

Chapter 100, Para. 1 and 5.

which the annexed printed slip is a true copy, was published in

ILLINOIS on the 2 day of

MARCH, A.D. 19 92

HEREOF, the undersigned, the said PADDOCK PUBLICATIONS,

has caused this certificate to be signed and its corporate seal affixed hereto,

and I, MARGIE HANCOCK, its Treasurer, at Arlington Heights, Illinois, this

day of March, A.D. 19 92

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY Margie Hancock, Treasurer.

92-033-1

UNOFFICIAL COPY

STATE OF ILLINOIS)
)
COUNTY OF COOK)

I, MARGARET R. DUER, do hereby certify that I am the duly elected, qualified and acting Clerk of the Village of Palatine, Cook County, Illinois, and that I am the keeper of the records, journals, entries, ordinances and resolutions of the said Village of Palatine.

I do further certify that the foregoing Ordinance is a true and correct copy of an ordinance passed and adopted by the Board of Trustees of the Village of Palatine as a Regular meeting held on the 13 day of April 1992, and that said ordinance as aforesaid was deposited and filed in the office of the Village Clerk on the 13 day of April, 1992.

I do further certify that the original, of which the foregoing is a true copy, is entrusted to my care for safekeeping and that I am the keeper of the same.

I further certify that the vote of the Board of Trustees on the motion to adopt said ordinance was as follows:

AYES: 5 NAYS: 0 ABSENT: 1 PASS: 0

BY WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Palatine this 14 day of July 1992.



Margaret R. Duer
Palatine Village Clerk

(S E A L)

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Property of Cook County Clerk's Office

BOX 313