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1999-05-05 09:21:27  
Cook County Recorder 51.00



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**FOURTH AMENDMENT TO  
AMENDED AND RESTATED  
REDEVELOPMENT AGREEMENT  
BETWEEN  
THE VILLAGE OF ARLINGTON HEIGHTS  
AND M & J WILKOW, LTD. AND  
GENERAL ELECTRIC CAPITAL CORPORATION**

**LEGAL DEPARTMENT  
VILLAGE OF ARLINGTON HEIGHTS  
33 South Arlington Heights Rd.  
Arlington Heights, IL 60005**

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## A RESOLUTION APPROVING A FOURTH AMENDMENT TO AMENDED AND RESTATED REDEVELOPMENT AGREEMENT WITH M & J WILKOW, LTD. AND GENERAL ELECTRIC CAPITAL CORPORATION

WHEREAS, on August 19, 1996, the President and Board of Trustees of the Village of Arlington Heights authorized the approval of a Redevelopment Agreement (A96-018) and subsequently approved an Amended and Restated Redevelopment Agreement on December 15, 1997, (A97-041), a first amendment on August 3, 1998, (A98-024), a second amendment on September 8, 1998 (A98-028) and a third amendment on September 28, 1998, (A98-031), with M & J Wilkow, Ltd. and General Electric Capital Corporation, concerning the implementation of the Rand Road/Arlington Heights Road Redevelopment Plan,

WHEREAS, an additional modification has been made to the Redevelopment Agreement making it necessary to enter into a Fourth Amendment to the Amended and Restated Redevelopment Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS:

SECTION ONE: A Fourth Amendment to Amended and Restated Redevelopment Agreement by and between the Village of Arlington Heights, M & J Wilkow, Ltd. and General Electric Capital Corporation, concerning the implementation of the Rand Road/Arlington Heights Road Redevelopment Plan, a true and correct copy of which is attached hereto, be and the same is hereby approved.


SECTION TWO: The Village President and Village Clerk are hereby authorized and directed to execute said agreement on behalf of the Village of Arlington Heights.

SECTION THREE: This resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

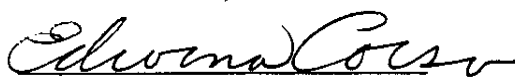
AYES: STENGREN, KUCERA, HAYES, WALTON, GUAGLIARDO, HETTINGER, DADAY, HAHN

NAYS: NONE

PASSED AND APPROVED this 16th of November, 1998.

  
\_\_\_\_\_  
Village President

ATTEST:

  
\_\_\_\_\_  
Village Clerk  
AGRRES: ANNEXARL.AGR

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R98-043 / A98-038

R98-043

TIF III  
Bunny

FOURTH AMENDMENT TO AMENDED AND RESTATED REDEVELOPMENT AGREEMENT

This Fourth Amendment to Amended and Restated Redevelopment Agreement is entered into as of the 16th day of November, 1998, by the Village of Arlington Heights, Illinois ("Village"), M & J Wilkow, Ltd. ("Wilkow"), and General Electric Capital Corporation ("GECC").

Recitals

A. The Village, Wilkow and GECC have entered into an Amended and Restated Redevelopment Agreement dated as of December 15, 1997, ("Redevelopment Agreement"), which pertains to the implementation of the Rand Road/Arlington Heights Road Redevelopment Plan. A First Amendment was approved August 3, 1998, a Second Amendment was approved September 8, 1998 and a Third Amendment was approved on September 28, 1998.

B. Due to changed facts and circumstances upon which certain provisions of the Redevelopment Agreement were based, the parties desire to further amend the Redevelopment Agreement as is hereinafter set forth.

NOW, THEREFORE, in consideration of the Recitals, and for other good and valuable consideration, the receipt and adequacy of which are acknowledged hereby, the parties hereto do hereby amend the Redevelopment Agreement as follows (it being understood that all capitalized terms used herein shall have the meanings given to them in the Redevelopment Agreement):

Agreements

1. In Section 5 of the Amended and Restated Redevelopment Agreement, the following sentence is added after the first sentence in the paragraph. "Either Wilkow or GECC shall reissue their existing Letter of Credit for an additional \$111,000 prior to receiving reimbursement from the Village in excess of \$2,915,000 for Eligible Up Front Costs."
2. In Section 8(d) of the Amended and Restated Redevelopment Agreement, the amount that the Village shall pay for Eligible Up Front Costs, is changed from \$2,915,000 to \$3,026,000.
3. Except as amended hereby, the Redevelopment Agreement is hereby ratified and confirmed and shall continue in full force and effect.

VILLAGE OF ARLINGTON HEIGHTS, ILLINOIS

By Kathie Hahn  
Village President

M & J WILKOW, LTD.

By David Harvey  
Its DAVID HARVEY - SR. VP.

GENERAL ELECTRICAL CAPITAL CORPORATION

By [Signature]  
Its Senior Operations Manager

**UNOFFICIAL COPY**  
**LEGAL DESCRIPTION**  
**ANNEX OF ARLINGTON**  
**PLANNED UNIT DEVELOPMENT**  
**TIF III**

All that part of the West ½ of the Southwest ¼ of Section 17, Township 42 North, Range 11 East of the Third Principal Meridian lying South of Rand Road described as follows:

Beginning at a point on the centerline of Rand Road that is 450 feet Northwesterly of the intersection of said line with the East line of the said West ½ of the Southwest ¼ of Section 17, said intersection being 936.53 feet North of the South line of said Section; thence Southeasterly 615.58 feet to a point in a line 775 feet North of and parallel with the South line of said Section and 568.75 feet East of the West line of said West ½ of the Southwest ¼ of said Section; thence East along the North line of the South 775 feet of said Section to the West line of the East 375 feet of the West ½ of the Southwest ¼ aforesaid; thence South along said West line to the North line of the South 650.53 feet of said West ½ of the Southwest ¼; thence East along said North line 375 feet to the East line of said West ½ of the Southwest ¼; thence North along said East line to the point of beginning, excepting therefore all that part thereof taken for Rand Road and Arlington Heights Road, all in Cook County, Illinois.

P.I.N. 03-17-302-018, -019, -020, -042, -054, -055, -056, -064, -074