

Village of La Grange



VILLAGE BOARD MEETING

MONDAY, APRIL 22, 2013

7:30 p.m.

Village Hall Auditorium

53 South La Grange Road

La Grange, IL 60525

Elizabeth M. Asperger
Village President

Thomas Morsch
Village Clerk

VILLAGE OF LA GRANGE
BOARD OF TRUSTEES REGULAR MEETING

Village Hall Auditorium
53 South La Grange Road
La Grange, IL 60525

AGENDA

Monday, April 22, 2013 – 7:30 p.m.

1. CALL TO ORDER AND ROLL CALL

Trustee Bill Holder
Trustee Mike Horvath
Trustee Mark Kuchler
Trustee Mark Langan
Trustee Jeff Nowak
Trustee Jim Palermo
President Elizabeth Asperger

2. PRESIDENT'S REPORT

A. Employee Recognition — Department of Public Works Foreman Russell Davenport — 25 Years of Service

3. PARK DISTRICT OF LA GRANGE: (1) ORDINANCE — SPECIAL USE PERMIT AND SITE PLAN APPROVALS, (2) ORDINANCE — PUBLIC UTILITY EASEMENTS, (3) RESOLUTION — PERMANENT EASEMENT FOR HAZEL AVENUE PARKING AND RELATED USES; Gordon Park, 90 Locust Avenue:
Referred to Trustee Nowak

4. RECOGNITION OF CITIZEN VOLUNTEERS

At this time, President Asperger and the Village Board of Trustees would like to proclaim their gratitude to numerous citizen volunteers who have provided thoughtful and dedicated service to the Village by participating on various advisory boards and commissions over the past year. Their contributions of talent and energy, and the sacrifice of time away from their families and other pursuits, are part of the fabric that makes this Village so special.

5. ADJOURNMENT

The Village of La Grange is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations so that they can observe and/or participate in this meeting, or who have questions, regarding the accessibility of the meeting or the Village's facilities, should contact the Village's ADA Coordinator at (708) 579-2315 promptly to allow the Village to make reasonable accommodations for those persons.

PRESIDENT'S REPORT

VILLAGE OF LA GRANGE
Public Works Department

BOARD REPORT

TO: Village President, Village Clerk,
Board of Trustees and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager and
Ryan Gillingham, Director of Public Works

DATE: April 22, 2013

RE: **EMPLOYEE RECOGNITION – PUBLIC WORKS FOREMAN –
RUSSELL DAVENPORT, 25 YEARS OF SERVICE**

Public Works Foreman Russell Davenport has reached a milestone in his career with the Village. On April 18, 2013, he completed 25 years of service.

Russell grew up in La Grange, graduating from Lyons Township High School in 1980. As a child, Russell would watch La Grange Public Works personnel operating large equipment and desired at an early age to work for the Department. On April 18, 1988, Russell began his career with the Village as a laborer for the Public Works Department. In 1993, Russell was promoted to Crew Leader and in 2000 was again promoted and currently serves in the position of Foreman. In this position, Russell assigns tasks and oversees the six operating divisions within the Department.

During his 25-year career, Russell has worked in all divisions of the Department from repairing broken water mains and sewers to removing trees to placing asphalt and concrete. His expertise and broad skill set allow him the opportunity to train and mentor other individuals on the proper procedures for repair and use of machines and equipment. Over his career, Russell has transitioned through many changes from the obsolescence of jackhammers to the use of computers and e-mail.

At all hours of the day, Russell has responded to many water main breaks, snow events, wind storms, severe rain events and other emergencies that have required his expertise. As an example, we estimate that over his career he has responded to and repaired several hundred emergency water main breaks. Russell's capability and oversight during snow events is an asset to the Department and the community. As Foreman, Russell also performs various inspections for capital improvement projects, private water and sewer utilities, driveways, sidewalks, and roadway and parkway restorations. Additionally, he has served on the Employee Safety Committee for a number of years representing the Department of Public Works.

Throughout his career, Russell has received numerous letters of appreciation from local businesses and residents. Russell has been an integral part of the community and is always willing to help residents.

Russell's dedication, expertise and knowledge has been and continues to be a valuable asset to the Department of Public Works and the Village of La Grange. Please join us in recognizing Public Works Crew Foreman Russell Davenport for his 25 years of dedicated service to the Village of La Grange.

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2-A.1

PARK DISTRICT OF LA GRANGE

VILLAGE OF LA GRANGE
Community Development Department

BOARD REPORT

TO: Village President, Village Clerk,
Board of Trustees

FROM: Robert J. Pilipiszyn, Village Manager
Patrick D. Benjamin, Community Development Director
Angela M. Mesaros, Assistant Community Development Director
Mark E. Burkland, Village Attorney

DATE: April 22, 2013

RE: **PARK DISTRICT OF LA GRANGE: (1) ORDINANCE – SPECIAL USE PERMIT AND SITE PLAN APPROVALS, (2) ORDINANCE – PUBLIC UTILITY EASEMENTS, (3) RESOLUTION – PERMANENT EASEMENT FOR HAZEL AVENUE PARKING AND RELATED USES; Gordon Park, 90 Locust Avenue**

INTRODUCTION

The Park District of La Grange has applied for the zoning approvals necessary for its planned renovation of Gordon Park. The required approvals include a special use permit authorizing a small skate park and a band shell and site plan approval for the park generally.

The Park District's current plans for the Gordon Park arise after a developer's unsuccessful attempt to redevelop the YMCA property. As you may recall, the Village Board's approval in 2008 of the YMCA property redevelopment included the condition that the developer contribute money toward future improvements to Gordon Park. That project was not developed. The Park District thereafter applied for and was awarded an Illinois Outdoor Recreation grant in 2010 to fund park improvements. At this time, the Park District has nearly complete plans for the renovation of Gordon Park.

The proposed improvements to Gordon Park include many new facilities, including splash pads, concession stands, restrooms, walking paths, pathway lighting, a storage building, a play equipment area, a park shelter, a butterfly garden, soccer fields, a football field, fencing around the tennis courts, and drainage system improvements in addition to the band shell and small skate park,

BACKGROUND

In 2010, the Park District submitted a site plan for the Gordon Park renovation to the Village for review. That site plan was approved, with conditions, by Village Staff, but the Park District did not

commence construction at that time. The Park District revised the site plan based on the Department Heads' comments and resubmitted it for review in November 2012.

Meanwhile, as part of the Village's comprehensive review of the Zoning Code, the Village Board amended the use lists in many of the zoning districts including the OS Open Space District. The amendments to the Open Space District were made after the Park District's first submission of a site plan, but before the resubmission of the current site plan. Those amendments included reclassification of band shells and skate parks to special uses from permitted uses, and thus the Park District has applied for a special use permit. The Park District also has applied for site plan approval because every application for a special use permit requires site plan approval.

PUBLIC HEARINGS

The Plan Commission held an initial public hearing on February 12, 2013, on the application (see the Plan Commission's Findings of Fact). At the hearing, the Park District presented its plans and also expressed concerns about some of the conditions on approval recommended by Village Staff. In response, the Plan Commission decided to table the application, to give the Park District and Village Staff time to discuss those conditions.

A second public hearing then was scheduled for April 4. In the interim, the Village Staff and the Park District reached agreement on appropriate conditions related to the Park District's project.

At the April 4 hearing, the Plan Commissioners reviewed the Park District's application in its entirety and discussed the individual elements of the renovation project including among others pathway lighting, amplification of sound in the band shell, Park District approvals of performances in the band shell, and potential future improvements to the intersection of Ogden and Locust Avenue. After deliberation, the Plan Commission voted unanimously to recommend approval of the Park District's application, with the agreed conditions. Here is a summary of the agreed conditions:

- Land Donation for Future Intersection Improvements. The Park District will dedicate to the Village a small, Park District-owned parcel of land (called the "pencil tip") at the intersection of Ogden Avenue and Locust Street that can be used for future improvements to that intersection.
- Public Utility Easements. The Park District will grant new underground public utility easements to the Village to cover existing and expected future sewer lines under Gordon Park. One of the new easements will allow the Village in the future to connect the OARS sewer main to the Metropolitan Water Reclamation District (MWRD) facility in Gordon Park. The Park District's grant is coupled with the Village's vacation of an existing easement that is not needed. This element of the Park District's project can be approved by a separate ordinance that vacates the unnecessary existing easement and approves an easement agreement with the Park District for the new public utility easements in Gordon Park.

- Storm Water Management and MWRD Approval. The Park District must secure all of the permits it needs from the MWRD as a result of improvements to Gordon Park that affect storm water flows.
- Demolition of Maintenance Shed. The Park District will demolish the old masonry maintenance shed west of Gordon Park within one year after the Village issues a building permit for the renovation project. The Village and the Park District may agree to extend the one-year time period for demolition.

HAZEL AVENUE PARKING AREA AND SIDEWALK

In conjunction with the Park District's renovation project and agreement to transfer ownership of the "pencil tip" parcel to the Village, the Park District has requested a permanent easement from the Village to allow the Park District to construct, use, and maintain parking spaces on the east side of Gordon Park in the currently unimproved portion of the Hazel Avenue right-of-way that abuts the park. The Park District would build the parking spaces in accordance with Village-approved plans, install appropriate striping and signs, and maintain and repair the parking spaces (including snow removal unless the Village agrees otherwise). The Park District also would relocate the Village's sidewalk within the easement premises and assume maintenance responsibility for that sidewalk, which the Park District has included as part of its new walking path system. In essence, the Park District will assume full responsibility for everything that happens within the easement premises.

Village Staff recommends approval of the Park District's request for the Hazel Avenue parking area, for the following reasons among others: The unimproved right-of-way is not useful or necessary for Village use. The Park District will benefit from having parking on the east side of Gordon Park and that parking will be convenient for park users. The diversion of some cars to a Hazel Avenue parking area may relieve some vehicle congestion on the west side of Gordon Park. The Park District will bear all costs to create and maintain the Hazel Avenue parking area.

Village Attorney Mark Burkland has drafted an easement agreement for the Hazel Avenue parking area, which has been negotiated with and agreed to by Park District representatives (see attached). The easement agreement includes Village review and approval of all plans for the parking area before construction on it commences and protective standards for the Park District's use and maintenance of the park area.

Representatives of the Park District will be available to answer any questions the Board may have regarding the Gordon Park project.

RECOMMENDED ACTIONS

Village Staff concurs with the unanimous recommendation of the Plan Commission for approval of the Park District's application for a special use permit and approval of its site plan for renovation of Gordon Park.

Village Attorney Burkland has prepared the attached ordinances and resolution for your consideration. The first ordinance grants a special use permit and site plan approval for the Gordon Park project.

The second ordinance approves an easement agreement for the new public utility easements in Gordon Park and vacates the unnecessary existing easement.

The resolution approves an easement agreement with the Park District for the parking and related improvements along Hazel Avenue and a permanent easement for those improvements as provided in the agreement.

VILLAGE OF LA GRANGE

ORDINANCE NO. O-13-_____

AN ORDINANCE APPROVING A SPECIAL USE PERMIT
AND SITE PLAN FOR RENOVATION OF GORDON PARK

WHEREAS, the Park District of La Grange, which owns the property commonly known as Gordon Park and depicted in Exhibit A attached to and by this reference incorporated into this Ordinance, has filed applications for a special use permit and site plan approval (the "Applications") related to the Park District's renovation of Gordon Park (the "Project"); and

WHEREAS, Gordon Park is classified in the OS Open Space District of the La Grange Zoning Code; and

WHEREAS, as part of the Project, the Park District proposes to add a band shell and a small skate park to Gordon Park, both of which are authorized as special uses in the OS Open Space District; and

WHEREAS, the Applications request approval of a special use permit authorizing the band shell and skate park and site plan approval; and

WHEREAS, the La Grange Plan Commission conducted a public hearing on February 12, 2013, to consider the Applications and then tabled its consideration of the Applications until further discussions were held between the Park District and the Village regarding appropriate conditions related to the Project; and

WHEREAS, the Plan Commission conducted a second public hearing on April 4, 2013, to further consider the Applications and, after hearing and considering all of the testimony and materials presented at the public hearing, recommended approval of the Applications subject to certain conditions, all as set forth in the Plan Commission's Findings for PC Case #209 dated February 12 and April 4, 2013; and

WHEREAS, the President and Board of Trustees of the Village of La Grange have determined that the Applications for special use permit and site plan approvals satisfy the standards established in Sections 14-401, 14-402, and related provisions of the Zoning Code governing special use permits, site plans, and development in the OS Open Space District, subject to the conditions set forth in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of La Grange, County of Cook and State of Illinois, as follows:

Section 1. Recitals. The foregoing recitals are incorporated into this Ordinance as findings of the President and Board of Trustees.

Section 2. Approval of Special Use Permit. The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and by Section 14-401 of the Zoning Code, hereby approves a special use permit for a band shell and small skate park within Gordon Park in conformity with the Approved Site Plan defined in Section 3 of this Ordinance. The special use permit approval granted in this Section 2 is subject to the conditions stated in Section 4 of this Ordinance.

Section 3. Approval of Site Plan. The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and by Section 14-402 of the Zoning Code, hereby approves the site plan prepared by Cody Braun and Associates Inc. and having a last date of February 8, 2013, in the form attached to this Ordinance as part of Exhibit A (the "*Approved Site Plan*"), subject to the conditions stated in Section 4 of this Ordinance. The Village Manager is authorized to approve minor revisions of a technical nature to elements of the Approved Site Plan that the Village Manager deems appropriate and not inconsistent with the overall Approved Site Plan.

Section 4. Conditions On Approvals. The approvals of the special use permit and Approved Site Plan in Sections 2 and 3 of this Ordinance are granted expressly subject to all the following conditions:

- A. Land Donation for Intersection Improvements. The Park District must transfer to the Village fee title to the parcel of land owned by the Park District abutting the intersection of Ogden Avenue and Locust Street as depicted on Exhibit B attached to and by this reference incorporated into this Ordinance. The transfer of title must be completed before the Village issues a building permit for the Project.
- B. Utility Easements. The Park District must approve and enter into the easement agreement attached to and by this reference incorporated into this Ordinance as Exhibit C and must complete the grant of easements for new underground public utility easements, to cover existing and expected future sewer lines under Gordon Park, in accordance with the easement agreement. The grant of easements must be completed before the Village issues a building permit for the Project.
- C. Storm Water Management and MWRD Approval. The Park District must secure, prior to the issuance by the Village of a building permit for the Project, all of the permits the Park District needs from the MWRD and any other agency with jurisdiction as a result of improvements to Gordon Park that affect storm water flow.
- D. Demolition of Masonry Maintenance Shed. The Park District must demolish the existing masonry maintenance shed it owns on the west

side of Gordon Park within one year after the Village first issues a building permit for the Project. The Village and the Park District may agree to extend the time period for demolition if the Village desires to continue to use the masonry maintenance shed for Fire Department training purposes.

E. Building Permit Application, Permits Required. This Ordinance does not authorize construction within Gordon Park. The Park District, prior to commencement of any construction within Gordon Park, must satisfy the conditions of this Ordinance, submit all necessary applications to the Village, and secure all required permits from the Village.

F. Compliance with Approved Plans, Conditions, Other Requirements of Law. All work on the Project must comply with the Approved Site Plan, other Village-approved plans and specifications for the Project, the terms and conditions of this Ordinance, and all applicable State of Illinois and Village laws, codes, ordinances, and regulations.

Section 5. Violation of Condition or Law. Any violation of any term or condition of this Ordinance or any applicable law, code, ordinance, or regulation will be grounds for rescission by the Board of Trustees of the approvals made in this Ordinance.

Section 6. Effective Date. This Ordinance will be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

ADOPTED this ____ day of April 2013.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of April 2013.

Elizabeth Asperger, Village President

ATTEST:

Thomas Morsch, Village Clerk

3.6

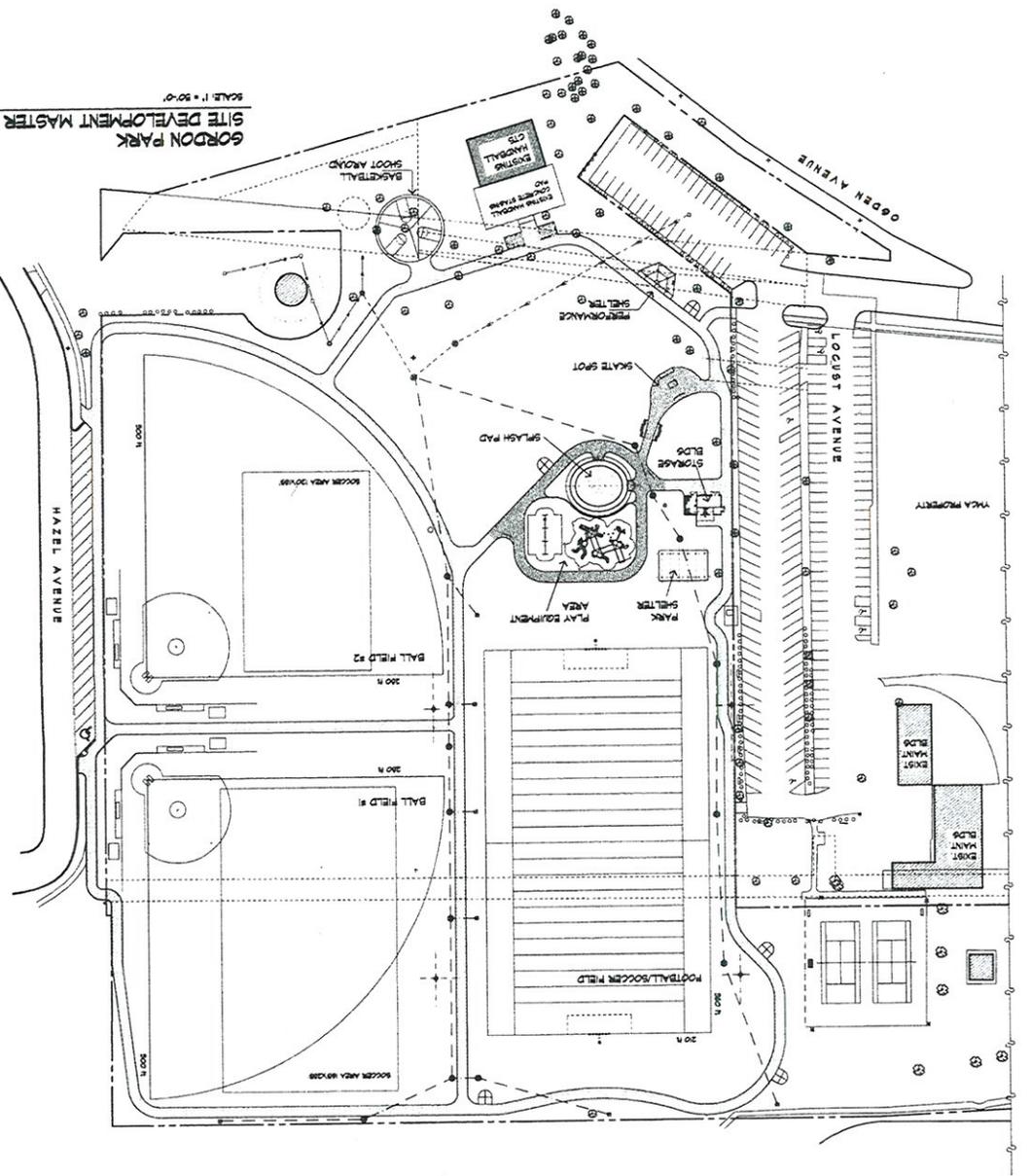
EXHIBIT A

Approved Site Plan

[see attached page]



GORDON PARK
SITE DEVELOPMENT MASTER PLAN
SCALE: 1" = 50'-0"



SHEET
SD-2a
OF 01

DATE 02-06-15
JOB NO. 21001
DRAWN BY JEB

NEW SITE DEVELOPMENT MASTER PLAN
DEVELOP GORDON PARK PHASE II FOR:
THE PARK DISTRICT OF LA GRANGE
NE QUADRANT OF OEDEN & LA GRANGE RDS



ARCHITECTS
CODY/BRAUN & ASSOCIATES, INC.
1585 MARINE ROAD • JOLIET/IL 60950 • 630-771-1888

22001 Phase I Plan

REVISIONS

NO.	DATE	DESCRIPTION
01	02-06-15	AS SHOWN

E.L.H.I.A.

3.8

EXHIBIT B

Park District Land Parcel to be Transferred to Village

[see attached page]

NE 1/4 SEC 4-38-12 LYONS

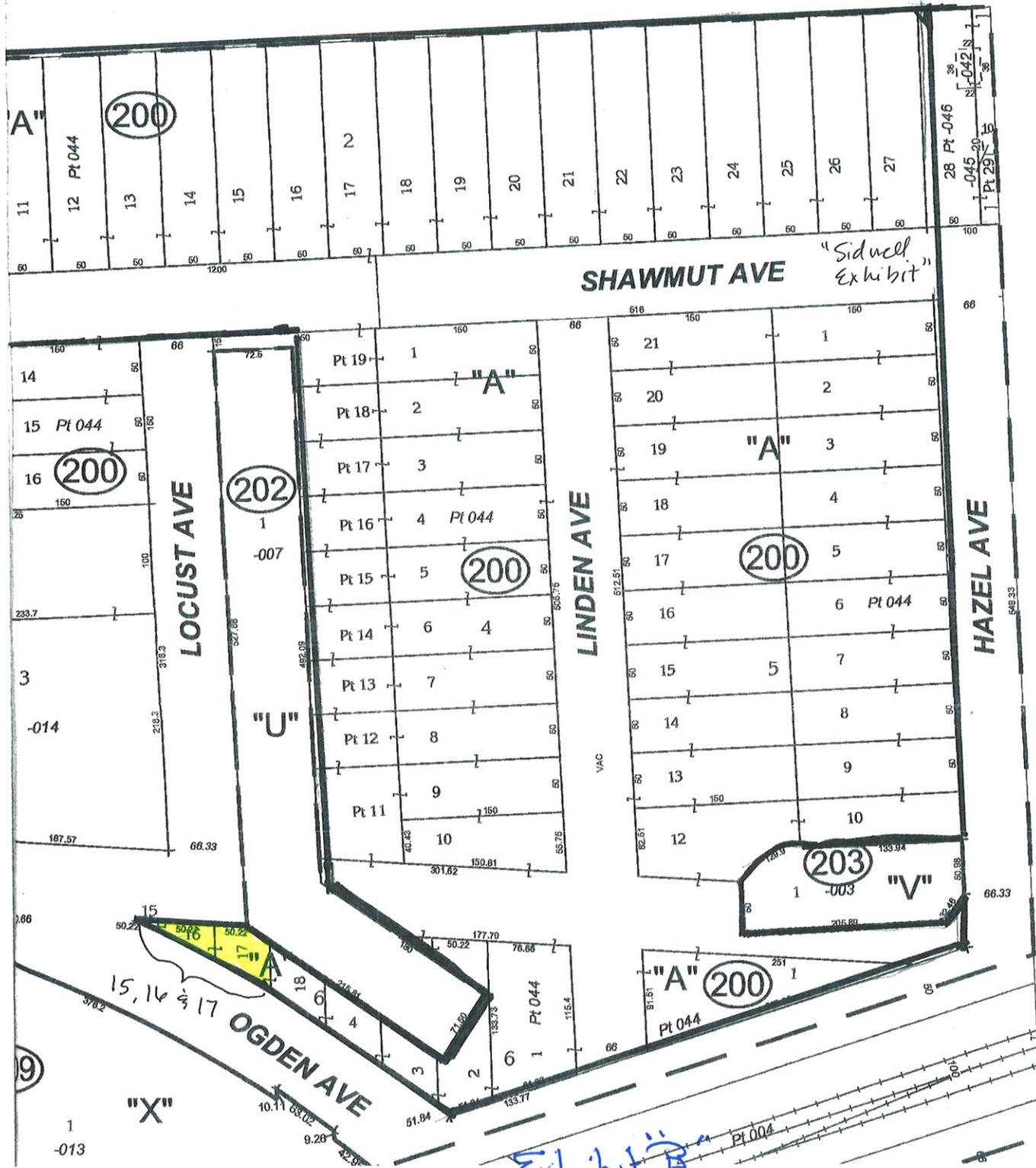


EXHIBIT C

Easement Agreement for Utility Easements

[see attached document]

This document prepared by,
and after recording return to:

Mark Burkland, Esq.
Holland & Knight LLP
131 South Dearborn St., 30th Floor
Chicago, IL 60603

P.I.N. Nos:

**EASEMENT AGREEMENT
BETWEEN THE VILLAGE OF LA GRANGE
AND THE PARK DISTRICT OF LA GRANGE
OVER PORTIONS OF GORDON PARK
AND ABUTTING RIGHTS OF WAY**

THIS EASEMENT AGREEMENT (this "*Agreement*") is dated as of _____, 2013 (the "*Effective Date*") and is by and between the Village of La Grange, an Illinois municipal corporation, (the "*Village*") and the Park District of La Grange, an Illinois park district (the "*Park District*");

W I T N E S S E T H:

WHEREAS, the Park District owns property commonly known as Gordon Park, which is depicted on Exhibit A attached to this Agreement; and

WHEREAS, both the Park District and the Village have underground utilities within Gordon Park, some of which are located within recorded utility easements and others of which are not within recorded utility easements; and

WHEREAS, certain new easements are necessary and appropriate within Gordon Park for existing and select future public utilities, and an existing utility easement within Gordon Park will not be necessary in its current location or configuration; and

WHEREAS, the Park District is undertaking a substantial renovation of Gordon Park, part of the funding for which is a grant administered by the Illinois Department of Natural Resources (the "*IDNR*"); and

WHEREAS, the Park District and the Village desire to establish the necessary permanent, non-exclusive public utility easements within Gordon Park for existing and select future public utilities (collectively the "*Permanent Public Utility Easements*") in a manner that complies with the IDNR's grant rules and regulations; and

WHEREAS, the Park District and the Village desire to vacate the unnecessary existing utility easement within Gordon Park after the Permanent Public Utility Easements are created; and

WHEREAS, the Village and the Park District each find that it is in the best interests of their residents for the Park District to establish the Permanent Public Utility Easements depicted on the Plat of Easements attached to, and by this reference

incorporated into, this Agreement as Exhibit A (the collective area of which easements is referred to as the "*Easement Premises*"); and

NOW, THEREFORE, in consideration of the recitals and other provisions of this Agreement, and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged by the Village and the Park District, the Village and the Park District agree as follows:

Section 1. Recitals. The foregoing recitals are incorporated into this Agreement by this reference.

Section 2. Park District Grant of Permanent Public Utility Easements. The Park District hereby grants to the Village the Permanent Public Utility Easements depicted on the Plat of Easements as Permanent Easements 1, 2, 3, and 4 to survey, construct, reconstruct, use, operate, maintain, test, inspect, repair, replace, alter, remove, and abandon in place (these activities are referred to collectively as "*Installation or Maintenance*") underground water pipes, storm sewer pipes, sanitary sewer pipes, and combined sewer pipes and their appurtenances (collectively the "*Utilities*"), subject to the terms of this Agreement, in and under the Easement Premises, together with all reasonable rights of ingress and egress on, over, and across Gordon Park necessary for the exercise of the rights herein granted. Installation and Maintenance includes, among other things, installation by the Village or the Metropolitan Water Reclamation District (the "*MWRD*") of Utilities within the Easement Premises to connect to existing MWRD facilities within Gordon Park.

Section 3. Vacation of Unnecessary Existing Easement. The Village and the Park District, finding that (a) the utility easement depicted on the Plat of Vacation attached to, and by this reference incorporated into, this Agreement as Exhibit B (the "*Plat of Vacation*") is no longer of any use or value to the Village or the Park District or their residents and (b) that the public interest will be subserved by vacating that easement, hereby vacate that easement as provided on the Plat of Vacation. The Plat of Vacation will be recorded by the Village after the recording of the Plat of Easements.

Section 4. Installation and Maintenance; Coordination with Park District. The Village agrees that each Installation and Maintenance of Utilities will be done in a good and workmanlike manner, all at the sole expense of the Village (or of the MWRD if applicable). The Village will coordinate with the Park District prior to any Installation or Maintenance to undertake the activity at a time that is reasonably determined to minimize the impact on the use of Gordon Park, except in the case of an emergency as determined by the Village. In the case of an emergency, the Village must give the Park District prompt notice of the location and nature of the emergency and the scope of the Installation or Maintenance necessary to respond to the emergency.

Section 5. Restoration; Liability. At the completion of any Installation or Maintenance activity by the Village, the Village shall promptly restore, at the Village's own cost, the Easement Premises and Gordon Park to a condition as good as existed prior to the Installation or Maintenance. The Village will be liable for making payment for any damage, caused by the Village and not properly restored by the Village, to vegetation, turf, fences, trails, walkways, signs, and any other park improvements or fixtures owned by the Park District within 45 days after written notice of the Park District and the failure of the Village to restore.

Section 6. Indemnification and Defense. The Village shall indemnify and defend the Park District against all claims, demands, causes of action, suits, or losses or damages (collectively “*Claims*”) that arise out of the acts or omissions of the Village or its authorized agents, servants, employees, or contractors in any Installation or Maintenance within any Easement Premises, except that the Village will not indemnify or defend the Park District against Claims arising out of negligent or willful acts or omissions of the Park District or its agents, servants, employees, or contractors.

Section 7. Reservation of Rights; Relocations. The Park District reserves the right to use all of Gordon Park, including the Easement Premises, for its intended purposes in any manner that will not obstruct the exercise by the Village of the rights granted to the Village under this Agreement. The Park District shall pay all costs for any relocation of a Village utility undertaken at the request of the Park District.

Section 8. Liens. The Village will take all necessary action to keep all Easement Premises free and clear of all liens, claims, and demands, including without limitation mechanic’s liens, in connection with any Installation or Maintenance.

Section 9. Covenants Running with the Land. The Permanent Public Utility Easements and other rights granted in this Agreement, the restrictions imposed by this Agreement, and the agreements and covenants contained in this Agreement are rights, restrictions, agreements, and covenants running with the land, will be recorded against Gordon Park, including all of the Easement Premises, and bind and inure to the benefit of the Park District and the Village.

Section 10. Validity. If any of the rights, restrictions, agreements, or covenants created by this Agreement would otherwise be unlawful or void for violation of (a) the rule against perpetuities or some analogous statutory provision, (b) the rule restricting restraints on alienation, or (c) any other statutory or common law rules imposing time limits, then those rights, restrictions, agreements, or covenants will continue only until 21 years after the death of the last survivor of the now living lawful descendants of the current President of the United States.

Section 11. General Provisions.

A. Notices. All notices required or permitted to be given under this Agreement may be given by the parties by (1) personal delivery, (2) deposit in the United States Registered Mail, return receipt requested, enclosed in a sealed envelope with first class postage thereon, or (3) deposit with a nationally recognized overnight delivery service, addressed as stated in this Subsection 11.A. The address of any party may be changed by written notice to the other parties. Any mailed notice will be deemed to have been given and received within three days after the same has been mailed and any notice given by overnight courier will be deemed to have been given and received within 24 hours after deposit. Notices and communications to the parties must be addressed to, and delivered at, the following addresses:

If to the Village:
Village Manager
Village of La Grange
53 South La Grange Road
La Grange, Illinois 60525

If to the Park District:
Executive Director
Park District of La Grange
536 East Avenue
La Grange, Illinois 60525

B. Amendments. No amendment or modification to this Agreement will be effective until it is reduced to writing and approved and executed by all parties to this Agreement in accordance with all applicable statutory procedures.

C. Non-Waiver. The Village and the Park District are under no obligation to exercise any of the rights granted to them in this Agreement. The failure of either of them to exercise at any time any right granted to them will not be deemed or construed to be a waiver of that right, nor will the failure void or affect that party's right to enforce that right or any other right.

D. Severability. If any provision of this Agreement is construed or held to be void, invalid, illegal, or unenforceable in any respect, then the remaining part of that provision and the remaining provisions of this Agreement will not be affected, impaired, or invalidated thereby, but instead will remain in full force and effect. The unenforceability of any provision of this Agreement will not affect the enforceability of that provision in any other situation.

E. Entire Agreement. This Agreement and its attachments, constitutes the entire agreement between the parties and supersedes any and all prior agreements and negotiations between the parties, whether written or oral, relating to the matters addressed in this Agreement.

F. Interpretation. This Agreement should be construed without regard to who drafted the various provisions of this Agreement. Moreover, each and every provision of this Agreement should be construed as though the Village and the Park District participated equally in the drafting of this Agreement. Any rule or construction that a document is to be construed against the drafting party thus is not applicable to this Agreement.

G. No Third-Party Beneficiaries. No claim as a third-party beneficiary under this Agreement by any person may be made, or be valid, against the Village or the Park District.

IN WITNESS WHEREOF the Village and the Park District have caused this Agreement to be executed by their properly authorized representatives as of the Effective Date.

VILLAGE OF LA GRANGE

PARK DISTRICT OF LA GRANGE

By: _____
Elizabeth Asperger
Village President

By: _____
Mary Ellen Penicook
Board President

Attest:

Attest:

By: _____
Thomas Morsch
Village Clerk

By: _____
Dean Bissias
Executive Director

3-16

ACKNOWLEDGEMENTS

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for Cook County, Illinois, do hereby certify that Elizabeth Asperger, personally known to me to be the Village President of the Village of La Grange, an Illinois municipal corporation, and Thomas Morsch, personally known to me to be the Village Clerk of the Village, and personally known to me to be the same persons whose names are subscribed to the foregoing Agreement, each appeared before me this day in person and acknowledged that, as the Village President and Village Clerk, they signed and delivered the Agreement, pursuant to the authority given by the Village, as their free and voluntary act and as the free and voluntary act and deed of the Village, for the uses and purposes set forth in the Agreement.

Given under my hand and official seal this ____ day of _____ 2013.

Notary Public

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for the said County, in the State aforesaid, do hereby certify that Mary Ellen Penicook, personally known to me to be the President of the Board of Commissioners of the Park District of La Grange, an Illinois municipal corporation, and Dean Bissias, personally known to me to be the Executive Director of the Park District, and personally known to me to be the same persons whose names are subscribed to the foregoing Agreement, each appeared before me this day in person and acknowledged that, as the Board President and Executive Director, they signed and delivered the Agreement, pursuant to the authority given by the Park District, as their free and voluntary act and as the free and voluntary act and deed of the Park District, for the uses and purposes set forth in the Agreement.

Given under my hand and official seal this ____ day of _____ 2013.

Notary Public

3.17

EXHIBIT A
TO EASEMENT AGREEMENT BETWEEN
THE VILLAGE OF LA GRANGE
AND THE PARK DISTRICT OF LA GRANGE
OVER PORTIONS OF GORDON PARK
AND ABUTTING RIGHTS OF WAY

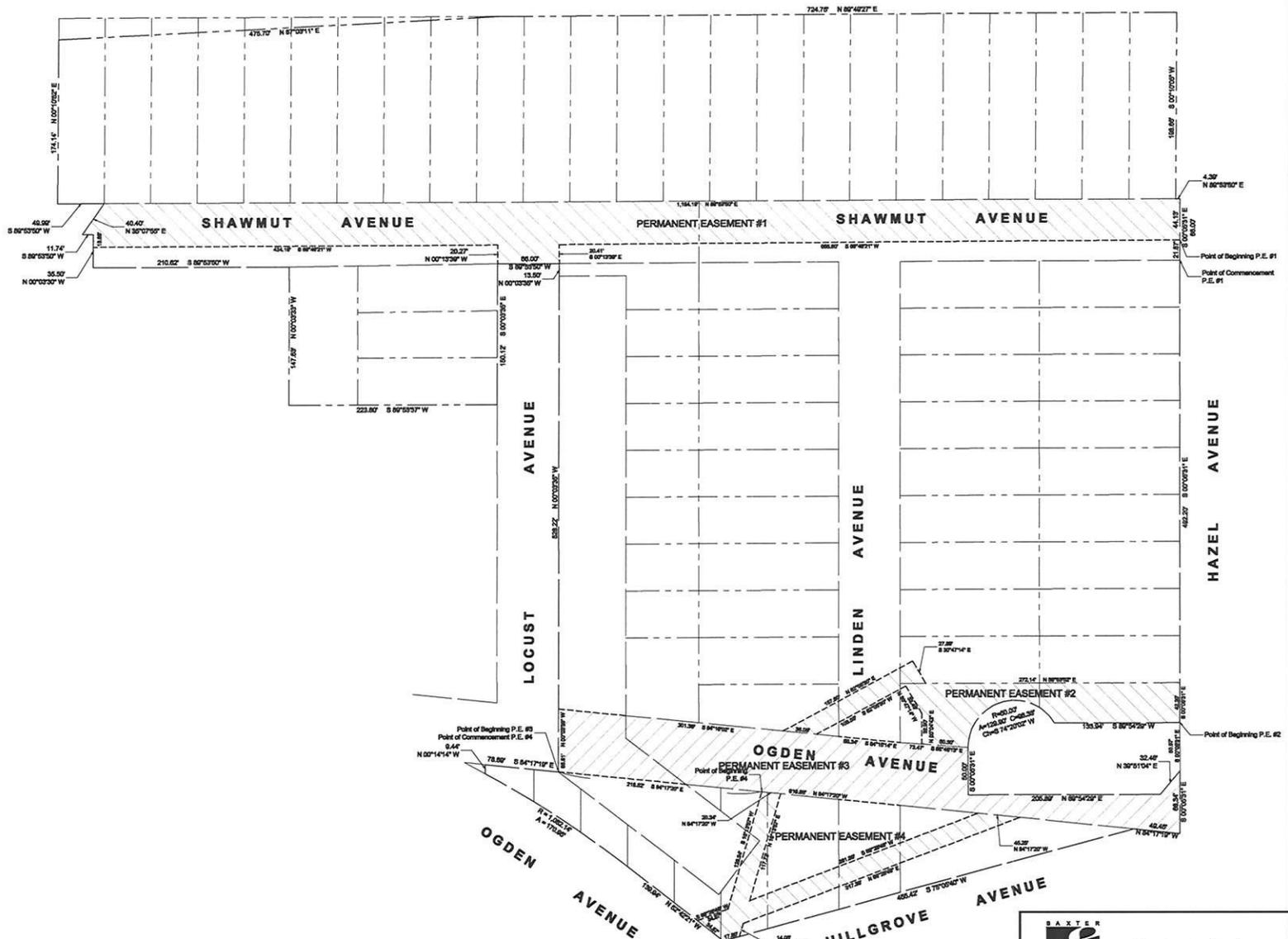
PLAT OF EASEMENTS

(see attached)

EXHIBIT A

PLAT OF EASEMENTS

3-19



BAXTER
WOODMAN
Consulting Engineers

Baxter & Woodman
Crystal Lake, Illinois 815.459.1260

875 ROCKFIELD ROAD • CRYSTAL LAKE, IL 60132
PHONE 815-459-1260 • FAX 815-459-6000

PERMANENT EASEMENT #1

THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SHAWMUT AVENUE AND THE WEST LINE OF HAZEL AVENUE, SAID INTERSECTION ALSO BEING THE NORTHEAST CORNER OF LOT 1 IN BLOCK 5 OF SHAWMUT AVENUE ADDITION TO LAGRANGE, BEING A SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 17, 1895 AS DOCUMENT NO. 2203386;

THENCE NORTH 00 DEGREES 05 MINUTES 31 SECONDS WEST, ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF HAZEL AVENUE, 21.87 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 46 MINUTES 21 SECONDS WEST, 665.60 FEET;

THENCE SOUTH 00 DEGREES 13 MINUTES 39 SECONDS EAST, 20.40 FEET TO THE INTERSECTION OF THE SOUTH LINE OF VACATED SHAWMUT AVENUE AND THE EAST LINE OF LINDEN AVENUE;

THENCE SOUTH 89 DEGREES 53 MINUTES 50 SECONDS WEST ALONG THE SOUTH LINE OF VACATED SHAWMUT AVENUE, 66.00 FEET TO THE INTERSECTION OF THE SOUTH LINE OF VACATED SHAWMUT AVENUE AND THE WEST LINE OF LINDEN AVENUE;

THENCE NORTH 00 DEGREES 13 MINUTES 39 SECONDS WEST, 66.00 FEET;

THENCE SOUTH 89 DEGREES 46 MINUTES 21 SECONDS WEST, 434.16 FEET TO A POINT ON THE WESTERLY LINE OF THAT PART OF SHAWMUT AVENUE, VACATED BY DOCUMENT NO. 17706353;

THENCE NORTH 00 DEGREES 03 MINUTES 50 SECONDS WEST, ALONG SAID WESTERLY LINE OF VACATED SHAWMUT AVENUE, 13.68 FEET;

THENCE SOUTH 89 DEGREES 53 MINUTES 50 SECONDS WEST, ALONG SAID WESTERLY LINE OF VACATED SHAWMUT AVENUE, 11.74 FEET;

THENCE NORTH 35 DEGREES 07 MINUTES 55 SECONDS EAST, ALONG SAID WESTERLY LINE OF VACATED SHAWMUT AVENUE, 40.40 FEET TO A POINT ON THE NORTH LINE OF SAID VACATED SHAWMUT AVENUE;

THENCE NORTH 89 DEGREES 53 MINUTES 50 SECONDS EAST, ALONG SAID NORTH LINE OF VACATED SHAWMUT AVENUE, 1154.19 FEET TO THE INTERSECTION WITH THE NORTHERLY EXTENSION OF THE WEST LINE OF HAZEL AVENUE;

THENCE SOUTH 00 DEGREES 05 MINUTES 31 SECONDS EAST, ALONG SAID NORTHERLY EXTENSION LINE, 44.13 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

3.20

PERMANENT EASEMENT #2

THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1 IN HAZEL AVENUE WATER TANK SITE RESUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 5, 1993 AS DOCUMENT NO. 93793728;

THENCE SOUTH 89 DEGREES 54 MINUTES 29 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOT 1, 133.94 FEET;

THENCE ALONG AN ARC CONCAVE TO THE SOUTH, HAVING A RADIUS OF 50 FEET, AN ARC LENGTH OF 129.90 FEET, A CHORD LENGTH OF 96.33 FEET AND A CHORD BEARING OF SOUTH 74 DEGREES 20 MINUTES 02 SECONDS WEST TO A POINT ON THE NORTH LINE OF VACATED OGDEN AVENUE, ACCORDING TO DOCUMENT NO. 17706352;

THENCE NORTH 85 DEGREES 48 MINUTES 13 SECONDS WEST ALONG SAID NORTH LINE OF VACATED OGDEN AVENUE, 50.30 FEET;

THENCE NORTH 00 DEGREES 04 MINUTES 43 SECONDS EAST, 32.90 FEET;

THENCE NORTH 30 DEGREES 47 MINUTES 14 SECONDS WEST, 33.45 FEET;

THENCE SOUTH 62 DEGREES 05 MINUTES 30 SECONDS WEST, 108.55 FEET TO A POINT ON SAID NORTH LINE OF VACATED OGDEN AVENUE;

THENCE NORTH 84 DEGREES 16 MINUTES 02 SECONDS WEST, ALONG SAID NORTH LINE OF VACATED OGDEN AVENUE, 36.08 FEET;

THENCE NORTH 62 DEGREES 05 MINUTES 30 SECONDS EAST, 157.60 FEET;

THENCE SOUTH 30 DEGREES 47 MINUTES 14 SECONDS EAST, 27.89 FEET TO A POINT ON THE NORTH LINE OF LOT 12 IN BLOCK 5 OF SHAWMUT AVENUE ADDITION TO LAGRANGE;

THENCE NORTH 89 DEGREES 53 MINUTES 52 SECONDS EAST, ALONG THE NORTH LINE OF LOTS 12 AND 10 IN BLOCK 5, 272.14 FEET TO A POINT ON THE WEST LINE OF HAZEL AVENUE;

THENCE SOUTH 00 DEGREES 05 MINUTES 31 SECONDS EAST, ALONG SAID WEST LINE OF HAZEL AVENUE, 42.20 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PERMANENT EASEMENT #3

THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF OGDEN AVENUE AND THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOCUST AVENUE;
THENCE NORTH 00 DEGREES 03 MINUTES 35 SECONDS WEST, ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOCUST AVENUE, TO THE INTERSECTION OF THE EAST LINE OF LOCUST AVENUE AND THE NORTH LINE OF VACATED OGDEN AVENUE;
THENCE SOUTH 84 DEGREES 16 MINUTES 02 SECONDS EAST ALONG THE NORTH LINE OF VACATED OGDEN AVENUE, 301.38 FEET;
THENCE SOUTH 84 DEGREES 15 MINUTES 14 SECONDS EAST ALONG THE NORTH LINE OF VACATED OGDEN AVENUE, 66.34 FEET;
THENCE SOUTH 85 DEGREES 48 MINUTES 13 SECONDS EAST ALONG THE NORTH LINE OF VACATED OGDEN AVENUE, 73.47 FEET TO A POINT ON THE WEST LINE OF LOT 1 N HAZEL AVENUE WATER TANK SITE RESUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 5, 1993 AS DOCUMENT NO. 93793728;
THENCE SOUTH 00 DEGREES 05 MINUTES 31 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 1, 50.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1;
THENCE NORTH 89 DEGREES 54 MINUTES 29 SECONDS EAST ALONG THE SOUTH LINE OF SAID LOT 1, 205.89 FEET;
THENCE NORTH 39 DEGREES 51 MINUTES 04 SECONDS EAST, 32.46 FEET TO A POINT ON THE WEST LINE OF HAZEL AVENUE;
THENCE SOUTH 00 DEGREES 05 MINUTES 31 SECONDS EAST ALONG THE WEST LINE OF HAZEL AVENUE, 66.34 FEET TO A POINT ON THE SOUTH LINE OF VACATED OGDEN AVENUE;
THENCE NORTH 84 DEGREES 17 MINUTES 19 SECONDS WEST ALONG THE SOUTH LINE OF VACATED OGDEN AVENUE, 49.45 FEET
THENCE NORTH 84 DEGREES 17 MINUTES 20 SECONDS WEST ALONG THE SOUTH LINE OF VACATED OGDEN AVENUE, 619.83 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

3.22

PERMANENT EASEMENT #4

THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF OGDEN AVENUE AND THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOCUST AVENUE;
THENCE SOUTH 84 DEGREES 17 MINUTES 20 SECONDS EAST ALONG THE SOUTH LINE OF VACATED OGDEN AVENUE, 218.52 FEET TO THE POINT OF BEGINNING,
THENCE SOUTH 16 DEGREES 13 MINUTES 57 SECONDS WEST, 128.94 FEET;
THENCE SOUTH 69 DEGREES 28 MINUTES 49 SECONDS WEST, 34.67 FEET TO A POINT ON THE NORTHEASTERLY LINE OF RELOCATED OGDEN AVENUE;
THENCE SOUTH 52 DEGREES 42 MINUTES 21 SECONDS EAST ALONG SAID NORTHEASTERLY LINE OF RELOCATED OGDEN AVENUE, 34.87 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF HILLGROVE AVENUE;
THENCE NORTH 75 DEGREES 05 MINUTES 40 SECONDS EAST ALONG SAID NORTHERLY LINE OF HILLGROVE AVENUE, 17.80 FEET;
THENCE NORTH 16 DEGREES 13 MINUTES 57 SECONDS EAST, 14.05 FEET;
THENCE NORTH 69 DEGREES 28 MINUTES 49 SECONDS EAST, 317.38 FEET TO A POINT ON THE SOUTH LINE OF VACATED OGDEN AVENUE;
THENCE NORTH 84 DEGREES 17 MINUTES 20 SECONDS WEST ALONG SAID SOUTH LINE OF VACATED OGDEN AVENUE, 45.25 FEET;
THENCE SOUTH 69 DEGREES 28 MINUTES 49 SECONDS WEST, 261.85 FEET;
THENCE NORTH 16 DEGREES 13 MINUTES 57 SECONDS EAST, 117.72 FEET TO A POINT ON SAID SOUTH LINE OF VACATED OGDEN AVENUE;
THENCE NORTH 84 DEGREES 17 MINUTES 20 SECONDS WEST ALONG SAID SOUTH LINE OF VACATED OGDEN AVENUE, 20.34 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

3.23

EXHIBIT B
TO EASEMENT AGREEMENT
BETWEEN THE VILLAGE OF LA GRANGE
AND THE PARK DISTRICT OF LA GRANGE
OVER PORTIONS OF GORDON PARK
AND ABUTTING RIGHTS OF WAY

PLAT OF VACATION

(see attached)

3.24

EXHIBIT B

VACATION OF THAT PART OF AN EASEMENT BETWEEN THE PARK DISTRICT OF LA GRANGE AND THE VILLAGE OF LA GRANGE, ACCORDING TO AN AGREEMENT RECORDED FEBRUARY 27, 1979 AS DOCUMENT NO. 24862220, AND DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE NORTHWARD EXTENSION OF THE WEST LINE OF HAZEL AVENUE, (SAID NORTHWARD EXTENSION BEING THE EAST LINE OF THAT PART OF SHAWMUT AVENUE VACATED BY DOCUMENT NO. 17706352), WHICH POINT IS 32.70 FEET NORTH OF THE INTERSECTION OF SAID WEST LINE OF HAZEL AVENUE WITH THE SOUTH LINE OF VACATED SHAWMUT AVENUE AND RUNNING;
THENCE WESTWARDLY ALONG A LINE HEREINAFTER REFERRED TO AS THE FIRST DESCRIBED LINE, A DISTANCE OF 1172.28 FEET TO A POINT ON THE WESTERLY LINE OF THAT PART OF SHAWMUT AVENUE, VACATED BY DOCUMENT NO. 17706353, WHICH POINT IS 39.39 FEET (MEASURED PERPENDICULARLY, NORTH FROM THE SOUTH LINE OF SAID VACATED SHAWMUT AVENUE;
THENCE NORTHEASTWARDLY ALONG SAID WESTERLY LINE, A DISTANCE OF 24.41 FEET TO AN INTERSECTION WITH A LINE 20 FEET (MEASURED PERPENDICULARLY) NORTHERLY FROM AND PARALLEL WITH SAID FIRST DESCRIBED LINE AND SAID WESTWARD EXTENSION OF FIRST DESCRIBED LINE;
THENCE EASTWARDLY ALONG SAID PARALLEL LINE, A DISTANCE OF 1158.23 FEET TO A POINT ON THE NORTHWARD EXTENSION OF THE WEST LINE OF HAZEL AVENUE AFORESAID;
THENCE SOUTH ALONG SAID NORTHWARD EXTENSION, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

3.26

VILLAGE OF LA GRANGE

ORDINANCE NO. _____

AN ORDINANCE VACATING AN EXISTING UTILITY EASEMENT,
APPROVING AN EASEMENT AGREEMENT,
AND REQUESTING THE GRANT OF UTILITY EASEMENTS
FROM THE PARK DISTRICT OF LA GRANGE

WHEREAS, the Village of La Grange has an easement for public utilities in a portion of Gordon Park that is no longer useful, necessary, or beneficial to the Village (the "*Obsolete Easement*") as depicted on the Plat of Vacation attached and incorporated into this Ordinance as Exhibit A (the "*Plat of Vacation*"); and

WHEREAS, Gordon Park is owned by the Park District of La Grange (the "*Park District*"); and

WHEREAS, the Village has requested that the Park District grant to the Village the easements for public utilities in Gordon Park depicted on the Plat of Easements attached to and incorporated into this Ordinance as Exhibit B (the "*Utility Easements*") pursuant to an agreement between the Village and the Park District attached to and by this reference incorporated into this Ordinance as Exhibit C (the "*Easement Agreement*"); and

WHEREAS, the Village has determined, and hereby declares, that it is necessary and convenient for the Village to use, occupy, and improve the Utility Easements as provided in the Easement Agreement with public utilities (the "*Public Purposes*"); and

WHEREAS, the Village desires that the Park District grant the Utility Easements pursuant to the authority conferred by the Illinois Local Government Property Transfer Act, 50 ILCS 605/0.01 *et seq.*; and

WHEREAS, the President and Board of Trustees of the Village of La Grange have determined that it is necessary, appropriate, and in the best interests of the Village to acquire the Utility Easements by grant from the Park District for the Public Purposes; and

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of La Grange, Cook County and State of Illinois, as follows:

Section 1. Recitals. The foregoing recitals are hereby incorporated into this Ordinance by this reference as findings of the President and Board of Trustees.

Section 2. Vacation of Obsolete Easement. The President and Board of Trustees hereby approve the Plat of Vacation and vacate the existing Obsolete Easement as provided on the Plat of Vacation.

Section 3. Request for Grant of Easements. The President and Board of Trustees request that the Park District of La Grange pass and approve a resolution approving the Easement Agreement and authorizing the grant of the Utility Easements to the Village, and that the Park District take all other necessary and appropriate actions, in conjunction with the necessary and appropriate actions of the Village, to finalize the grant of the Utility Easements.

Section 4. Approval of Easement Agreement. The President and Board of Trustees hereby approve the Easement Agreement in the form attached to this Ordinance as Exhibit C and authorize and direct the President and Village Clerk to sign the Easement Agreement on behalf of the Village.

Section 5. Authorization to Acquire Easements. The Village President and Village Clerk are hereby authorized to take all steps necessary and appropriate to acquire the Utility Easements and to cause them to be recorded in the Office of the Cook County Recorder of Deeds.

Section 6. Effective Date. This Ordinance will be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this ____ day of _____ 2013.

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of _____ 2013.

Elizabeth Asperger, Village President

ATTEST:

Thomas Morsch, Village Clerk

#22945225_v1

3.28

EXHIBIT A

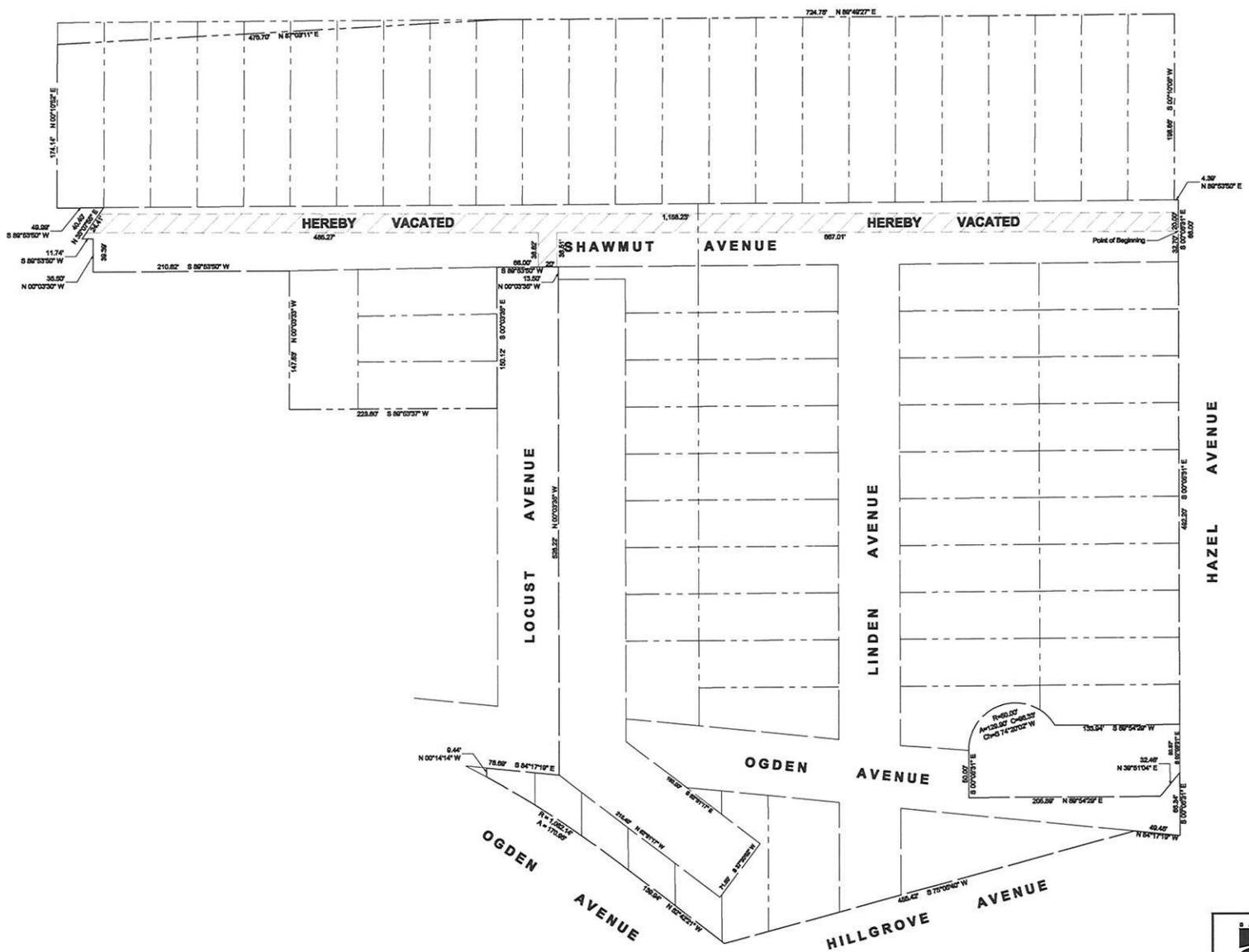
PLAT OF VACATION

[see attached]

3.29

02.8

PLAT OF VACATION



**BAXTER
WOODMAN**
Engineering Engineers

Barter & Woodman
Crystal Lake, Illinois 815.459.1260

815 BURNHAM ROAD • CRYSTAL LAKE, IL 60132
PHONE 815-459-1260 • FAX 815-459-0468

VACATION OF AN EASEMENT BETWEEN THE PARK DISTRICT OF LA GRANGE AND THE VILLAGE OF LA GRANGE, ACCORDING TO AN AGREEMENT RECORDED FEBRUARY 27, 1979 AS DOCUMENT NO. 24862220, AND DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE NORTHWARD EXTENSION OF THE WEST LINE OF HAZEL AVENUE, (SAID NORTHWARD EXTENSION BEING THE EAST LINE OF THAT PART OF SHAWMUT AVENUE VACATED BY DOCUMENT NO. 17706352), WHICH POINT IS 32.70 FEET NORTH OF THE INTERSECTION OF SAID WEST LINE OF HAZEL AVENUE WITH THE SOUTH LINE OF VACATED SHAWMUT AVENUE AND RUNNING;
THENCE WESTWARDLY ALONG A LINE HEREINAFTER REFERRED TO AS THE FIRST DESCRIBED LINE, A DISTANCE OF 667.01 FEET TO A POINT, WHICH IS 36.51 FEET NORTH OF SAID SOUTH LINE OF VACATED SHAWMUT AVENUE;
THENCE SOUTH ALONG A LINE WHICH IS PARALLEL TO THE NORTHWARD EXTENSION OF THE EAST LINE OF LOCUST AVENUE, SAID DISTANCE OF 36.51 FEET TO SAID SOUTH LINE OF VACATED SHAWMUT AVENUE;
THENCE WEST ALONG SAID SOUTH LINE OF VACATED SHAWMUT AVENUE, A DISTANCE OF 20.00 FEET;
THENCE NORTH ALONG A LINE PARALLEL WITH THE AFOREMENTIONED NORTHWARD EXTENSION OF THE EAST LINE OF LOCUST AVENUE, A DISTANCE OF 36.62 FEET TO AN INTERSECTION WITH THE WESTWARD EXTENSION OF SAID FIRST DESCRIBED LINE;
THENCE WESTWARDLY ALONG SAID WESTWARD EXTENSION, A DISTANCE OF 485.27 FEET TO A POINT ON THE WESTERLY LINE OF THAT PART OF SHAWMUT AVENUE, VACATED BY DOCUMENT NO. 17706353, WHICH POINT IS 39.39 FEET (MEASURED PERPENDICULARLY, NORTH FROM THE SOUTH LINE OF SAID VACATED SHAWMUT AVENUE;
THENCE NORTHEASTWARDLY ALONG SAID WESTERLY LINE, A DISTANCE OF 24.41 FEET TO AN INTERSECTION WITH A LINE 20 FEET (MEASURED PERPENDICULARLY) NORTHERLY FROM AND PARALLEL WITH SAID FIRST DESCRIBED LINE AND SAID WESTWARD EXTENSION OF FIRST DESCRIBED LINE;
THENCE EASTWARDLY ALONG SAID PARALLEL LINE, A DISTANCE OF 1158.23 FEET TO A POINT ON THE NORTHWARD EXTENSION OF THE WEST LINE OF HAZEL AVENUE AFORESAID;
THENCE SOUTH ALONG SAID NORTHWARD EXTENSION, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

330a

EXHIBIT B

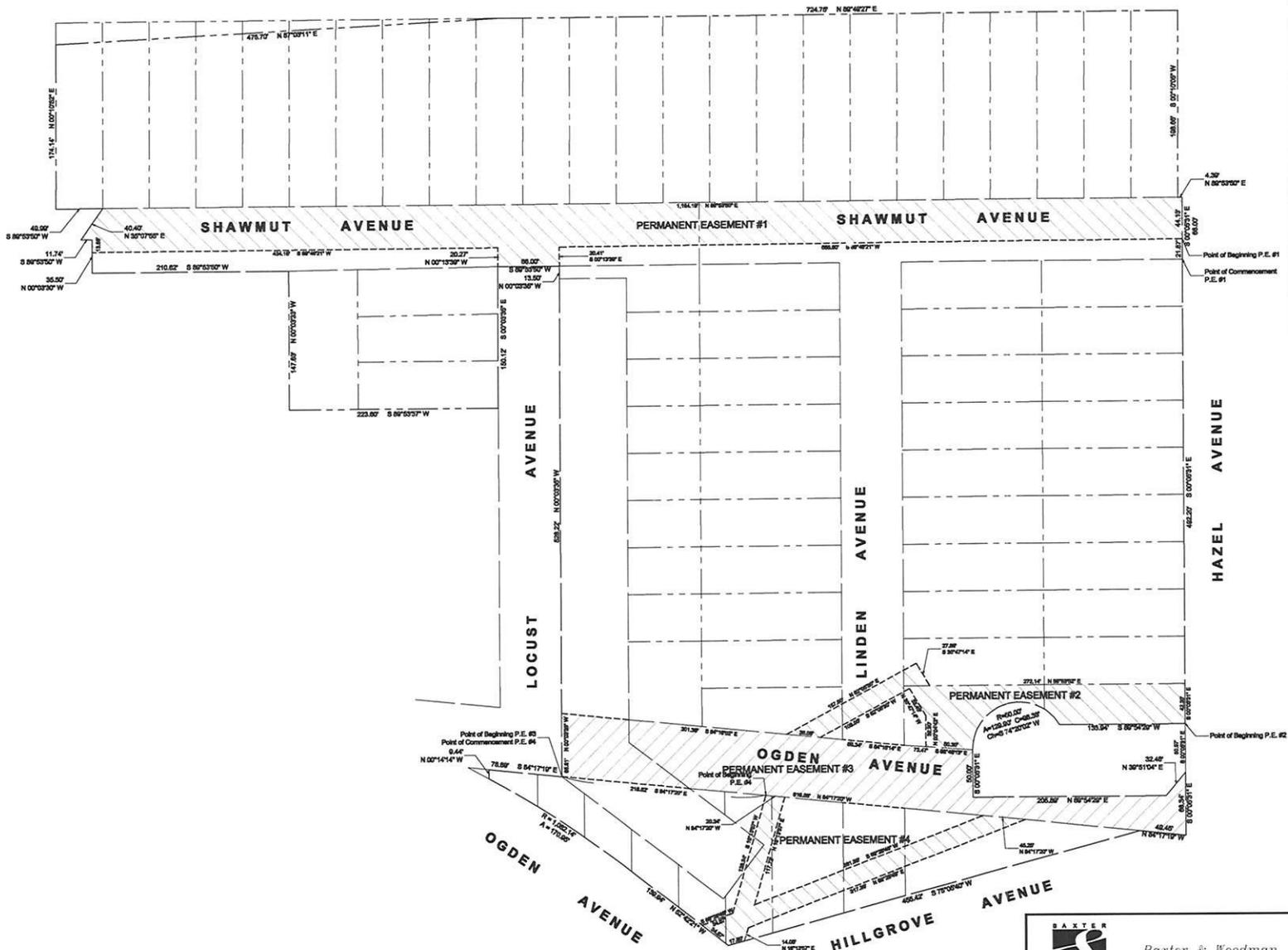
PLAT OF EASEMENTS

[see attached]

EXHIBIT A

PLAT OF EASEMENTS

3.32



BAXTER WOODMAN
Baxter & Woodman
 Consulting Engineers
 Crystal Lake, Illinois 815-459-1200
 8878 ROCKFIELD ROAD • CRYSTAL LAKE, IL 60013
 PHONE 815-459-1200 • FAX 815-459-4000

PERMANENT EASEMENT #1

THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SHAWMUT AVENUE AND THE WEST LINE OF HAZEL AVENUE, SAID INTERSECTION ALSO BEING THE NORTHEAST CORNER OF LOT 1 IN BLOCK 5 OF SHAWMUT AVENUE ADDITION TO LAGRANGE, BEING A SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 17, 1895 AS DOCUMENT NO. 2203386;

THENCE NORTH 00 DEGREES 05 MINUTES 31 SECONDS WEST, ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF HAZEL AVENUE, 21.87 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 46 MINUTES 21 SECONDS WEST, 665.60 FEET;

THENCE SOUTH 00 DEGREES 13 MINUTES 39 SECONDS EAST, 20.40 FEET TO THE INTERSECTION OF THE SOUTH LINE OF VACATED SHAWMUT AVENUE AND THE EAST LINE OF LINDEN AVENUE;

THENCE SOUTH 89 DEGREES 53 MINUTES 50 SECONDS WEST ALONG THE SOUTH LINE OF VACATED SHAWMUT AVENUE, 66.00 FEET TO THE INTERSECTION OF THE SOUTH LINE OF VACATED SHAWMUT AVENUE AND THE WEST LINE OF LINDEN AVENUE;

THENCE NORTH 00 DEGREES 13 MINUTES 39 SECONDS WEST, 66.00 FEET;

THENCE SOUTH 89 DEGREES 46 MINUTES 21 SECONDS WEST, 434.16 FEET TO A POINT ON THE WESTERLY LINE OF THAT PART OF SHAWMUT AVENUE, VACATED BY DOCUMENT NO. 17706353;

THENCE NORTH 00 DEGREES 03 MINUTES 50 SECONDS WEST, ALONG SAID WESTERLY LINE OF VACATED SHAWMUT AVENUE, 13.68 FEET;

THENCE SOUTH 89 DEGREES 53 MINUTES 50 SECONDS WEST, ALONG SAID WESTERLY LINE OF VACATED SHAWMUT AVENUE, 11.74 FEET;

THENCE NORTH 35 DEGREES 07 MINUTES 55 SECONDS EAST, ALONG SAID WESTERLY LINE OF VACATED SHAWMUT AVENUE, 40.40 FEET TO A POINT ON THE NORTH LINE OF SAID VACATED SHAWMUT AVENUE;

THENCE NORTH 89 DEGREES 53 MINUTES 50 SECONDS EAST, ALONG SAID NORTH LINE OF VACATED SHAWMUT AVENUE, 1154.19 FEET TO THE INTERSECTION WITH THE NORTHERLY EXTENSION OF THE WEST LINE OF HAZEL AVENUE;

THENCE SOUTH 00 DEGREES 05 MINUTES 31 SECONDS EAST, ALONG SAID NORTHERLY EXTENSION LINE, 44.13 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

3.33

PERMANENT EASEMENT #2

THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1 IN HAZEL AVENUE WATER TANK SITE RESUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 5, 1993 AS DOCUMENT NO. 93793728;

THENCE SOUTH 89 DEGREES 54 MINUTES 29 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOT 1, 133.94 FEET;

THENCE ALONG AN ARC CONCAVE TO THE SOUTH, HAVING A RADIUS OF 50 FEET, AN ARC LENGTH OF 129.90 FEET, A CHORD LENGTH OF 96.33 FEET AND A CHORD BEARING OF SOUTH 74 DEGREES 20 MINUTES 02 SECONDS WEST TO A POINT ON THE NORTH LINE OF VACATED OGDEN AVENUE, ACCORDING TO DOCUMENT NO. 17706352;

THENCE NORTH 85 DEGREES 48 MINUTES 13 SECONDS WEST ALONG SAID NORTH LINE OF VACATED OGDEN AVENUE, 50.30 FEET;

THENCE NORTH 00 DEGREES 04 MINUTES 43 SECONDS EAST, 32.90 FEET;

THENCE NORTH 30 DEGREES 47 MINUTES 14 SECONDS WEST, 33.45 FEET;

THENCE SOUTH 62 DEGREES 05 MINUTES 30 SECONDS WEST, 108.55 FEET TO A POINT ON SAID NORTH LINE OF VACATED OGDEN AVENUE;

THENCE NORTH 84 DEGREES 16 MINUTES 02 SECONDS WEST, ALONG SAID NORTH LINE OF VACATED OGDEN AVENUE, 36.08 FEET;

THENCE NORTH 62 DEGREES 05 MINUTES 30 SECONDS EAST, 157.60 FEET;

THENCE SOUTH 30 DEGREES 47 MINUTES 14 SECONDS EAST, 27.89 FEET TO A POINT ON THE NORTH LINE OF LOT 12 IN BLOCK 5 OF SHAWMUT AVENUE ADDITION TO LAGRANGE;

THENCE NORTH 89 DEGREES 53 MINUTES 52 SECONDS EAST, ALONG THE NORTH LINE OF LOTS 12 AND 10 IN BLOCK 5, 272.14 FEET TO A POINT ON THE WEST LINE OF HAZEL AVENUE;

THENCE SOUTH 00 DEGREES 05 MINUTES 31 SECONDS EAST, ALONG SAID WEST LINE OF HAZEL AVENUE, 42.20 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

3.34

PERMANENT EASEMENT #3

THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF OGDEN AVENUE AND THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOCUST AVENUE;
THENCE NORTH 00 DEGREES 03 MINUTES 35 SECONDS WEST, ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOCUST AVENUE, TO THE INTERSECTION OF THE EAST LINE OF LOCUST AVENUE AND THE NORTH LINE OF VACATED OGDEN AVENUE;
THENCE SOUTH 84 DEGREES 16 MINUTES 02 SECONDS EAST ALONG THE NORTH LINE OF VACATED OGDEN AVENUE, 301.38 FEET;
THENCE SOUTH 84 DEGREES 15 MINUTES 14 SECONDS EAST ALONG THE NORTH LINE OF VACATED OGDEN AVENUE, 66.34 FEET;
THENCE SOUTH 85 DEGREES 48 MINUTES 13 SECONDS EAST ALONG THE NORTH LINE OF VACATED OGDEN AVENUE, 73.47 FEET TO A POINT ON THE WEST LINE OF LOT 1 N HAZEL AVENUE WATER TANK SITE RESUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 5, 1993 AS DOCUMENT NO. 93793728;
THENCE SOUTH 00 DEGREES 05 MINUTES 31 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 1, 50.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1;
THENCE NORTH 89 DEGREES 54 MINUTES 29 SECONDS EAST ALONG THE SOUTH LINE OF SAID LOT 1, 205.89 FEET;
THENCE NORTH 39 DEGREES 51 MINUTES 04 SECONDS EAST, 32.46 FEET TO A POINT ON THE WEST LINE OF HAZEL AVENUE;
THENCE SOUTH 00 DEGREES 05 MINUTES 31 SECONDS EAST ALONG THE WEST LINE OF HAZEL AVENUE, 66.34 FEET TO A POINT ON THE SOUTH LINE OF VACATED OGDEN AVENUE;
THENCE NORTH 84 DEGREES 17 MINUTES 19 SECONDS WEST ALONG THE SOUTH LINE OF VACATED OGDEN AVENUE, 49.45 FEET
THENCE NORTH 84 DEGREES 17 MINUTES 20 SECONDS WEST ALONG THE SOUTH LINE OF VACATED OGDEN AVENUE, 619.83 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

3,35

PERMANENT EASEMENT #4

THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF OGDEN AVENUE AND THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOCUST AVENUE;
THENCE SOUTH 84 DEGREES 17 MINUTES 20 SECONDS EAST ALONG THE SOUTH LINE OF VACATED OGDEN AVENUE, 218.52 FEET TO THE POINT OF BEGINNING,
THENCE SOUTH 16 DEGREES 13 MINUTES 57 SECONDS WEST, 128.94 FEET;
THENCE SOUTH 69 DEGREES 28 MINUTES 49 SECONDS WEST, 34.67 FEET TO A POINT ON THE NORTHEASTERLY LINE OF RELOCATED OGDEN AVENUE;
THENCE SOUTH 52 DEGREES 42 MINUTES 21 SECONDS EAST ALONG SAID NORTHEASTERLY LINE OF RELOCATED OGDEN AVENUE, 34.87 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF HILLGROVE AVENUE;
THENCE NORTH 75 DEGREES 05 MINUTES 40 SECONDS EAST ALONG SAID NORTHERLY LINE OF HILLGROVE AVENUE, 17.80 FEET;
THENCE NORTH 16 DEGREES 13 MINUTES 57 SECONDS EAST, 14.05 FEET;
THENCE NORTH 69 DEGREES 28 MINUTES 49 SECONDS EAST, 317.38 FEET TO A POINT ON THE SOUTH LINE OF VACATED OGDEN AVENUE;
THENCE NORTH 84 DEGREES 17 MINUTES 20 SECONDS WEST ALONG SAID SOUTH LINE OF VACATED OGDEN AVENUE, 45.25 FEET;
THENCE SOUTH 69 DEGREES 28 MINUTES 49 SECONDS WEST, 261.85 FEET;
THENCE NORTH 16 DEGREES 13 MINUTES 57 SECONDS EAST, 117.72 FEET TO A POINT ON SAID SOUTH LINE OF VACATED OGDEN AVENUE;
THENCE NORTH 84 DEGREES 17 MINUTES 20 SECONDS WEST ALONG SAID SOUTH LINE OF VACATED OGDEN AVENUE, 20.34 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

3.36

EXHIBIT C

Easement Agreement for Utility Easements

[see attached document]

This document prepared by,
and after recording return to:

Mark Burkland, Esq.
Holland & Knight LLP
131 South Dearborn St., 30th Floor
Chicago, IL 60603

P.I.N. Nos:

**EASEMENT AGREEMENT
BETWEEN THE VILLAGE OF LA GRANGE
AND THE PARK DISTRICT OF LA GRANGE
OVER PORTIONS OF GORDON PARK
AND ABUTTING RIGHTS OF WAY**

THIS EASEMENT AGREEMENT (this “*Agreement*”) is dated as of _____, 2013 (the “*Effective Date*”) and is by and between the Village of La Grange, an Illinois municipal corporation, (the “*Village*”) and the Park District of La Grange, an Illinois park district (the “*Park District*”);

W I T N E S S E T H:

WHEREAS, the Park District owns property commonly known as Gordon Park, which is depicted on Exhibit A attached to this Agreement; and

WHEREAS, both the Park District and the Village have underground utilities within Gordon Park, some of which are located within recorded utility easements and others of which are not within recorded utility easements; and

WHEREAS, certain new easements are necessary and appropriate within Gordon Park for existing and select future public utilities, and an existing utility easement within Gordon Park will not be necessary in its current location or configuration; and

WHEREAS, the Park District is undertaking a substantial renovation of Gordon Park, part of the funding for which is a grant administered by the Illinois Department of Natural Resources (the “*IDNR*”); and

WHEREAS, the Park District and the Village desire to establish the necessary permanent, non-exclusive public utility easements within Gordon Park for existing and select future public utilities (collectively the “*Permanent Public Utility Easements*”) in a manner that complies with the IDNR’s grant rules and regulations; and

WHEREAS, the Park District and the Village desire to vacate the unnecessary existing utility easement within Gordon Park after the Permanent Public Utility Easements are created; and

WHEREAS, the Village and the Park District each find that it is in the best interests of their residents for the Park District to establish the Permanent Public Utility Easements depicted on the Plat of Easements attached to, and by this reference

incorporated into, this Agreement as Exhibit A (the collective area of which easements is referred to as the "*Easement Premises*"); and

NOW, THEREFORE, in consideration of the recitals and other provisions of this Agreement, and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged by the Village and the Park District, the Village and the Park District agree as follows:

Section 1. Recitals. The foregoing recitals are incorporated into this Agreement by this reference.

Section 2. Park District Grant of Permanent Public Utility Easements. The Park District hereby grants to the Village the Permanent Public Utility Easements depicted on the Plat of Easements as Permanent Easements 1, 2, 3, and 4 to survey, construct, reconstruct, use, operate, maintain, test, inspect, repair, replace, alter, remove, and abandon in place (these activities are referred to collectively as "*Installation or Maintenance*") underground water pipes, storm sewer pipes, sanitary sewer pipes, and combined sewer pipes and their appurtenances (collectively the "*Utilities*"), subject to the terms of this Agreement, in and under the Easement Premises, together with all reasonable rights of ingress and egress on, over, and across Gordon Park necessary for the exercise of the rights herein granted. Installation and Maintenance includes, among other things, installation by the Village or the Metropolitan Water Reclamation District (the "*MWRD*") of Utilities within the Easement Premises to connect to existing MWRD facilities within Gordon Park.

Section 3. Vacation of Unnecessary Existing Easement. The Village and the Park District, finding that (a) the utility easement depicted on the Plat of Vacation attached to, and by this reference incorporated into, this Agreement as Exhibit B (the "*Plat of Vacation*") is no longer of any use or value to the Village or the Park District or their residents and (b) that the public interest will be subserved by vacating that easement, hereby vacate that easement as provided on the Plat of Vacation. The Plat of Vacation will be recorded by the Village after the recording of the Plat of Easements.

Section 4. Installation and Maintenance; Coordination with Park District. The Village agrees that each Installation and Maintenance of Utilities will be done in a good and workmanlike manner, all at the sole expense of the Village (or of the MWRD if applicable). The Village will coordinate with the Park District prior to any Installation or Maintenance to undertake the activity at a time that is reasonably determined to minimize the impact on the use of Gordon Park, except in the case of an emergency as determined by the Village. In the case of an emergency, the Village must give the Park District prompt notice of the location and nature of the emergency and the scope of the Installation or Maintenance necessary to respond to the emergency.

Section 5. Restoration; Liability. At the completion of any Installation or Maintenance activity by the Village, the Village shall promptly restore, at the Village's own cost, the Easement Premises and Gordon Park to a condition as good as existed prior to the Installation or Maintenance. The Village will be liable for making payment for any damage, caused by the Village and not properly restored by the Village, to vegetation, turf, fences, trails, walkways, signs, and any other park improvements or fixtures owned by the Park District within 45 days after written notice of the Park District and the failure of the Village to restore.

Section 6. Indemnification and Defense. The Village shall indemnify and defend the Park District against all claims, demands, causes of action, suits, or losses or damages (collectively “*Claims*”) that arise out of the acts or omissions of the Village or its authorized agents, servants, employees, or contractors in any Installation or Maintenance within any Easement Premises, except that the Village will not indemnify or defend the Park District against Claims arising out of negligent or willful acts or omissions of the Park District or its agents, servants, employees, or contractors.

Section 7. Reservation of Rights; Relocations. The Park District reserves the right to use all of Gordon Park, including the Easement Premises, for its intended purposes in any manner that will not obstruct the exercise by the Village of the rights granted to the Village under this Agreement. The Park District shall pay all costs for any relocation of a Village utility undertaken at the request of the Park District.

Section 8. Liens. The Village will take all necessary action to keep all Easement Premises free and clear of all liens, claims, and demands, including without limitation mechanic’s liens, in connection with any Installation or Maintenance.

Section 9. Covenants Running with the Land. The Permanent Public Utility Easements and other rights granted in this Agreement, the restrictions imposed by this Agreement, and the agreements and covenants contained in this Agreement are rights, restrictions, agreements, and covenants running with the land, will be recorded against Gordon Park, including all of the Easement Premises, and bind and inure to the benefit of the Park District and the Village.

Section 10. Validity. If any of the rights, restrictions, agreements, or covenants created by this Agreement would otherwise be unlawful or void for violation of (a) the rule against perpetuities or some analogous statutory provision, (b) the rule restricting restraints on alienation, or (c) any other statutory or common law rules imposing time limits, then those rights, restrictions, agreements, or covenants will continue only until 21 years after the death of the last survivor of the now living lawful descendants of the current President of the United States.

Section 11. General Provisions.

A. Notices. All notices required or permitted to be given under this Agreement may be given by the parties by (1) personal delivery, (2) deposit in the United States Registered Mail, return receipt requested, enclosed in a sealed envelope with first class postage thereon, or (3) deposit with a nationally recognized overnight delivery service, addressed as stated in this Subsection 11.A. The address of any party may be changed by written notice to the other parties. Any mailed notice will be deemed to have been given and received within three days after the same has been mailed and any notice given by overnight courier will be deemed to have been given and received within 24 hours after deposit. Notices and communications to the parties must be addressed to, and delivered at, the following addresses:

If to the Village:
Village Manager
Village of La Grange
53 South La Grange Road
La Grange, Illinois 60525

If to the Park District:
Executive Director
Park District of La Grange
536 East Avenue
La Grange, Illinois 60525

B. Amendments. No amendment or modification to this Agreement will be effective until it is reduced to writing and approved and executed by all parties to this Agreement in accordance with all applicable statutory procedures.

C. Non-Waiver. The Village and the Park District are under no obligation to exercise any of the rights granted to them in this Agreement. The failure of either of them to exercise at any time any right granted to them will not be deemed or construed to be a waiver of that right, nor will the failure void or affect that party's right to enforce that right or any other right.

D. Severability. If any provision of this Agreement is construed or held to be void, invalid, illegal, or unenforceable in any respect, then the remaining part of that provision and the remaining provisions of this Agreement will not be affected, impaired, or invalidated thereby, but instead will remain in full force and effect. The unenforceability of any provision of this Agreement will not affect the enforceability of that provision in any other situation.

E. Entire Agreement. This Agreement and its attachments, constitutes the entire agreement between the parties and supersedes any and all prior agreements and negotiations between the parties, whether written or oral, relating to the matters addressed in this Agreement.

F. Interpretation. This Agreement should be construed without regard to who drafted the various provisions of this Agreement. Moreover, each and every provision of this Agreement should be construed as though the Village and the Park District participated equally in the drafting of this Agreement. Any rule or construction that a document is to be construed against the drafting party thus is not applicable to this Agreement.

G. No Third-Party Beneficiaries. No claim as a third-party beneficiary under this Agreement by any person may be made, or be valid, against the Village or the Park District.

IN WITNESS WHEREOF the Village and the Park District have caused this Agreement to be executed by their properly authorized representatives as of the Effective Date.

VILLAGE OF LA GRANGE

PARK DISTRICT OF LA GRANGE

By: _____
Elizabeth Asperger
Village President

By: _____
Mary Ellen Penicook
Board President

Attest:

Attest:

By: _____
Thomas Morsch
Village Clerk

By: _____
Dean Bissias
Executive Director

3.41

ACKNOWLEDGEMENTS

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for Cook County, Illinois, do hereby certify that Elizabeth Asperger, personally known to me to be the Village President of the Village of La Grange, an Illinois municipal corporation, and Thomas Morsch, personally known to me to be the Village Clerk of the Village, and personally known to me to be the same persons whose names are subscribed to the foregoing Agreement, each appeared before me this day in person and acknowledged that, as the Village President and Village Clerk, they signed and delivered the Agreement, pursuant to the authority given by the Village, as their free and voluntary act and as the free and voluntary act and deed of the Village, for the uses and purposes set forth in the Agreement.

Given under my hand and official seal this ____ day of _____ 2013.

Notary Public

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for the said County, in the State aforesaid, do hereby certify that Mary Ellen Penicook, personally known to me to be the President of the Board of Commissioners of the Park District of La Grange, an Illinois municipal corporation, and Dean Bissias, personally known to me to be the Executive Director of the Park District, and personally known to me to be the same persons whose names are subscribed to the foregoing Agreement, each appeared before me this day in person and acknowledged that, as the Board President and Executive Director, they signed and delivered the Agreement, pursuant to the authority given by the Park District, as their free and voluntary act and as the free and voluntary act and deed of the Park District, for the uses and purposes set forth in the Agreement.

Given under my hand and official seal this ____ day of _____ 2013.

Notary Public

3.42

VILLAGE OF LA GRANGE

RESOLUTION NO. ____

A RESOLUTION APPROVING AN EASEMENT AGREEMENT
AND THE GRANT OF A PERMANENT EASEMENT
TO THE PARK DISTRICT OF LA GRANGE
IN A PORTION OF THE HAZEL AVENUE RIGHT-OF-WAY

WHEREAS, the Village of La Grange is the owner of the right-of-way commonly known as Hazel Avenue in the Village, which right-of-way includes a public street ("*Hazel Avenue*") and an area of the right-of-way that is unimproved except for a public sidewalk and landscaping ("*Unimproved Hazel Avenue*"); and

WHEREAS, the Park District of La Grange (the "*Park District*") is the owner of Gordon Park, which abuts Unimproved Hazel Avenue to the west; and

WHEREAS, the Park District by ordinance has asked the Village to grant a permanent easement to the Park District in Unimproved Hazel Avenue as depicted on the Plat of Easement attached to and by this reference incorporated into this Resolution as Exhibit A (the "*Easement Premises*"), and the Park District has declared that it is necessary and convenient for the Park District to acquire the permanent easement and to use the Easement Premises for certain purposes, all in accordance with the Illinois Local Government Property Transfer Act, 50 ILCS 605/0,01 *et seq.*; and

WHEREAS, the Park District desires to use the Easement Premises to build and maintain public parking and a walking path system for Gordon Park users that the Park District has included as part of the Park District's renovation of Gordon Park; and

WHEREAS, the Village is willing to grant a permanent easement to the Park District in the Easement Premises in accordance with the terms of the easement agreement titled "Easement Agreement Between The Village Of La Grange And The Park District Of La Grange For Parking Spaces And Related Uses In The Hazel Avenue Right Of Way" attached to and by this reference incorporated into this Resolution as Exhibit B (the "*Easement Agreement*"); and

WHEREAS, the Park District desires to enter into the Easement Agreement;
and

WHEREAS, the President and Board of Trustees of the Village of La Grange have determined that it is in the best interests of the Village to approve the Easement Agreement and to grant to the Park District a permanent easement in the Easement Premises in accordance with the Easement Agreement;

3.43

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of La Grange, Cook County and State of Illinois, as follows:

Section 1. Recitals. The foregoing recitals are hereby incorporated into, and made a part of, this Resolution as the findings of the President and Board of Trustees of the Village of La Grange.

Section 2. Approval of the Easement Agreement. The Board of Trustees hereby approves the Easement Agreement and authorizes and directs the President and the Village Clerk to execute and attest the Easement Agreement on behalf of the Village after receipt of two fully executed copies of the Agreement from the Park District.

Section 3. Grant of Permanent Easement. The Board of Trustees hereby approves the grant of a permanent easement in the Easement Premises to the Park District in accordance with the terms of the Easement Agreement.

Section 4. Recording. The Village Clerk is hereby directed to record the Easement Agreement with the Cook County Recorder of Deeds.

Section 5. Effective Date. This Resolution will be in full force and effect from and after its passage and approval in the manner required by law.

PASSED this ____ day of _____ 2013

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of _____ 2013

Elizabeth Asperger, Village President

ATTEST:

Thomas Morsch, Village Clerk

#22943860_v1

EXHIBIT A

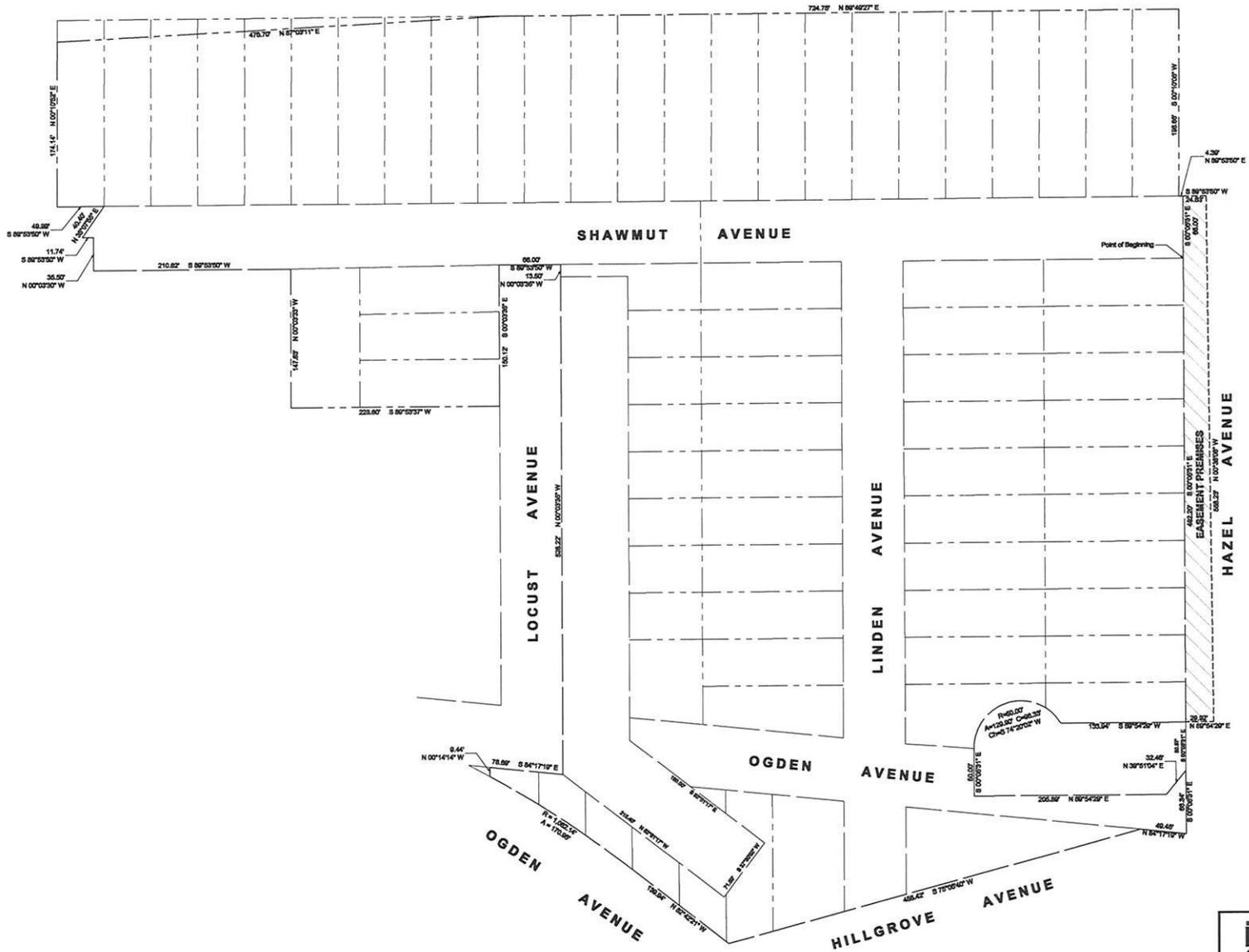
PLAT OF EASEMENT

(see attached)

3.45

9113

PLAT OF EASEMENT



BAXTER

WOODMAN
 Consulting Engineers

Baxter & Woodman
 Crystal Lake, Illinois 815-459-1500

819 BROADFIELD ROAD • CRYSTAL LAKE, IL 60153
 PHONE 815-459-1500 • FAX 815-459-0000

EXHIBIT A

THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SHAWMUT AVENUE AND THE WEST LINE OF HAZEL AVENUE, SAID INTERSECTION ALSO BEING THE NORTHEAST CORNER OF LOT 1 IN BLOCK 5 OF SHAWMUT AVENUE ADDITION TO LAGRANGE, BEING A SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 17, 1895 AS DOCUMENT NO. 2203386;

THENCE SOUTH 00 DEGREES 05 MINUTES 31 SECONDS EAST, ALONG SAID WEST LINE OF HAZEL AVENUE, 492.20 FEET TO THE NORTHEAST CORNER OF LOT 1 IN HAZEL AVENUE WATER TANK SITE RESUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 5, 1993 AS DOCUMENT NO. 93793728;

THENCE NORTH 89 DEGREES 54 MINUTES 29 SECONDS EAST, 29.92 FEET;

THENCE NORTH 00 DEGREES 38 MINUTES 08 SECONDS WEST, 558.23 FEET;

THENCE SOUTH 89 DEGREES 53 MINUTES 50 SECONDS WEST, 24.63 FEET TO THE INTERSECTION OF THE NORTH LINE OF SHAWMUT AVENUE AND THE NORTHERLY EXTENSION OF THE WEST LINE OF HAZEL AVENUE;

THENCE SOUTH 00 DEGREES 05 MINUTES 31 SECONDS EAST, 66.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

EXHIBIT B

EASEMENT AGREEMENT

[see attached]

This document prepared by,
and after recording return to:

Mark Burkland, Esq.
Holland & Knight LLP
131 South Dearborn St., 30th Floor
Chicago, IL 60603

P.I.N. Nos:

**EASEMENT AGREEMENT
BETWEEN THE VILLAGE OF LA GRANGE
AND THE PARK DISTRICT OF LA GRANGE
FOR PARKING SPACES AND RELATED USES
IN THE HAZEL AVENUE RIGHT OF WAY**

THIS EASEMENT AGREEMENT (this "*Agreement*") is dated as of _____, 2013 (the "*Effective Date*") and is by and between the Village of La Grange, an Illinois municipal corporation, (the "*Village*") and the Park District of La Grange, an Illinois park district (the "*Park District*");

W I T N E S S E T H:

WHEREAS, the Village owns a public street, public sidewalk (the "*Sidewalk*"), and additional unimproved right-of-way that abuts the Park District's Gordon Park to the east, which street, sidewalk, and right-of-way are known as Hazel Avenue, which is depicted on the Plat of Easement attached to and by this reference incorporated into this Agreement as Exhibit A ("*Hazel Avenue*"); and

WHEREAS, the Park District is undertaking a substantial renovation of Gordon Park and the Park District desires to use the currently unimproved area of Hazel Avenue to relocate the Sidewalk (the "*Relocated Sidewalk*") and to build public parking spaces that can be used by users of Gordon Park; and

WHEREAS, the Park District also is building new walking paths in Gordon Park, and the Park District desires to connect those new walking paths to the Relocated Sidewalk and to incorporate the Relocated Sidewalk into the new walking path system; and

WHEREAS, the Village has determined that it is appropriate to grant a permanent easement to the Park District for construction and maintenance of parking spaces and the Relocated Sidewalk, and related matters in the unimproved area of Hazel Avenue depicted, legally described, and identified as the "*Easement Premises*" on the Plat of Easement; and

WHEREAS, the Park District desires to secure a permanent easement from the Village subject to the provisions of this Agreement;

NOW, THEREFORE, in consideration of the recitals and other provisions of this Agreement, and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged by the Park District and the Village, the Park District and the Village agree as follows:

Section 1. Recitals. The foregoing recitals are incorporated into this Agreement by this reference.

Section 2. Village Grant of Permanent Easement. The Village hereby grants to the Park District a permanent easement in, over, and under the Easement Premises on the plat of easement (a) to survey, construct, use, maintain, repair, and replace parking spaces and related curb and gutter, pavement markings, and signs (collectively the "*Parking Improvements*") and (b) to relocate the Sidewalk and to connect walking paths to the Relocated Sidewalk and use the Relocated Sidewalk as part of the Gordon Park walking path system, all subject to the terms of this Agreement (the "*Easement*").

Section 3. Construction and Maintenance.

A. Basic Parking Improvements Construction and Maintenance Standards. The Parking Improvements and the Relocated Sidewalk must be built and maintained in accordance with federal, State of Illinois, and Village standards including without limitation accessibility standards, storm water drainage standards, other applicable engineering standards, and asphalt paving, concrete curb and gutter, striping, signs, snow removal, general upkeep and maintenance, and similar matters.

B. Plans and Specifications; Village Approval. Before commencing any construction, maintenance, repair, or similar activity within the Easement Premises (collectively and in each instance "*Work*"), the Park District must submit to the Village, to the extent required by Village codes or ordinances, plans and specifications for that Work. The Village must review those plans and specifications promptly and issue a permit for that Work after a determination that the plans and specifications satisfy Village requirements. No Work may be undertaken within the Easement Premises, nor any improvement be made or maintained within the Easement Premises, except after Village review and approval. Village approvals of Work will not be unreasonably delayed or withheld and in the case of a denial the Village will state in writing the reason or reasons for the denial.

C. Signs. The Park District must install and maintain signs for the Parking Improvements regarding parking hours and other matters as provided by the Village. The Village and the Park District will confer from time to time regarding appropriate limitations and regulations for the parking spaces.

D. Restoration. At the completion of any Work, the Park District must promptly restore, at the Park District's own cost, the Easement Premises to a good and safe condition.

E. Standard Level of Maintenance. The Park District must maintain the Easement Premises at all times in a good, and safe condition, including routine removal of litter and debris, patching and replacement of damaged asphalt and concrete, repair

and replacement of damaged signs, snow removal, routine landscaping maintenance, and like matters (the “*Standard Level of Maintenance*”).

F. Maintenance of Relocated Sidewalk. The Park District (i) must maintain the Relocated Sidewalk at least at the Standard Level of Maintenance and in the same manner as it maintains the Gordon Park walking paths and (ii) must clear any snowfall more than two inches in depth from the Relocated Sidewalk, regardless of whether the Park District removes snow from the walking paths.

G. Trees. When creating the plans and specifications for construction of the Parking Improvements, the Park District must collaborate with the Village Manager and Public Works Director to preserve some of the existing trees within the Easement Premises, by omitting a parking space or spaces periodically or by some other design. The Park District, in consultation with the Village’s Public Works Director, also must reasonably undertake to transplant the trees that cannot be preserved in their current location.

H. Quality, Cost of Work. The Park District agrees that all Work by it or others on its behalf will be done at least at the Standard Level of Maintenance and in a good and workmanlike manner, all at the sole expense of the Park District.

Section 4. Insurance. The Park District must cause the Easement Premises to be included within the Park District’s insurance coverage applicable to Gordon Park, including without limitation general liability insurance, and maintain that insurance coverage in effect throughout the life of the Easement.

Section 5. Indemnification and Defense. The Park District shall indemnify and defend the Village against all claims, demands, causes of action, suits, or losses or damages (collectively “*Claims*”) that arise out of the acts or omissions of the Park District or its authorized agents, servants, employees, or contractors related to any Work within the Easement Premises. In addition, the Park District shall indemnify and defend that Village against any Claims of any third party related to the condition, use, or maintenance of the Easements Premises, the Parking Improvements, or the Relocated Sidewalk that are within the Park District’s responsibilities under this Agreement. The Park District’s duty to indemnify or defend the Village does not extend to Claims arising out of negligent or willful acts or omissions of the Village or its agents, servants, employees, or contractors.

Section 6. Village Remedies.

A. Termination for Non-Use. If the Park District does not commence construction of the Parking Improvements by May 1, 2018, then the Village, at its next regular meeting after notice in writing to the Park District, may terminate this Agreement and rescind and revoke the Easement.

B. Village Right to Restore or Maintain at Park District Expense. If the Park District fails to properly restore or maintain the Parking Improvements, the Relocated Sidewalk, or the Easement Premises at least at the Standard Level of Maintenance, then the Village may undertake the Work reasonably necessary for restoration or maintenance at the expense of the Park District. The Park District must

reimburse the Village for all reasonable costs the Village incurs for restoration or maintenance within 30 days after receipt of an invoice from the Village detailing those costs.

C. Termination for Violations. If the Park District repeatedly or persistently violates one or more provisions of this Agreement, or fails to keep the Parking Improvements, the Relocated Sidewalk, or the Easement Premises at the Standard Level of Maintenance, or fails to repay the Village for costs incurred by the Village under this Agreement for restoration or maintenance, then the Village may serve the Park District with notice stating the Village's intent to terminate this Agreement and rescind and revoke the Easement. The notice must include the date, time, and place for a public hearing before the Board of Trustees at which the Park District may present testimony and evidence why the Village should not terminate or rescind and revoke. At the conclusion of the public hearing, the Board of Trustees may terminate this Agreement and rescind and revoke the Easement by a simple majority vote or take such other action as the Board of Trustees determines is appropriate. If the Board of Trustees terminates the Agreement and rescinds and revokes the Easement, then the Village may take possession of the Easement Premises and all improvements within the Easement Premises in their entirety immediately.

Section 7. Use of Easement Premises by Village. The Village may use the Easement Premises to construct, use, operate, maintain, inspect, repair, replace, alter, and remove (these activities referred to collectively as "*Installation or Maintenance*") Village utilities including without limitation underground water pipes, storm sewer pipes, sanitary sewer pipes, combined sewer pipes, cables, and their appurtenances (collectively "*Utilities*"), and also similar installations by others deemed beneficial to and approved by the Village, so long as those activities or uses do not unreasonably disrupt the Park District's authorized use of the Easement Premises for an undue period of time. The Village will coordinate with the Park District prior to any Installation or Maintenance, except in the case of an emergency as determined by the Village. In the case of an emergency, the Village must give the Park District prompt notice of the location and nature of the emergency and the scope of the Installation or Maintenance necessary to respond to the emergency. At the completion of any Installation and Maintenance, the Village must promptly restore, at the Village's own cost, the Easement Premises to the same or better condition existing prior to the Installation and Maintenance.

Section 8. Liens. The Park District must take all necessary action to keep all Easement Premises free and clear of all liens, claims, and demands, including without limitation mechanic's liens, in connection with any Work.

Section 9. Covenants Running with the Land. The Easement and other rights granted in this Agreement, the restrictions imposed by this Agreement, and the agreements and covenants contained in this Agreement are rights, restrictions, agreements, and covenants running with the land, will be recorded against the Easement Premises, and bind and inure to the benefit of the Park District and the Village.

Section 10. Validity. If any of the rights, restrictions, agreements, or covenants created by this Agreement would otherwise be unlawful or void for violation of (a) the rule against perpetuities or some analogous statutory provision, (b) the rule restricting restraints on alienation, or (c) any other statutory or common law rules imposing time limits, then those rights, restrictions, agreements, or covenants will continue only until 21 years after the death of the last survivor of the now living lawful descendants of the current President of the United States.

Section 11. General Provisions.

A. Notices. All notices required or permitted to be given under this Agreement may be given by the parties by (1) personal delivery, (2) deposit in the United States Registered Mail, return receipt requested, enclosed in a sealed envelope with first class postage thereon, or (3) deposit with a nationally recognized overnight delivery service, addressed as stated in this Subsection 11.A. The address of any party may be changed by written notice to the other parties. Any mailed notice will be deemed to have been given and received within three days after the same has been mailed and any notice given by overnight courier will be deemed to have been given and received within 24 hours after deposit. Notices and communications to the parties must be addressed to, and delivered at, the following addresses:

If to the Village:

Village Manager
Village of La Grange
53 South La Grange Road
La Grange, Illinois 60525

If to the Park District:

Executive Director
Park District of La Grange
536 East Avenue
La Grange, Illinois 60525

B. Amendments. No amendment or modification to this Agreement will be effective until it is reduced to writing and approved and executed by all parties to this Agreement in accordance with all applicable statutory procedures.

C. Non-Waiver. The Village and the Park District are under no obligation to exercise any of the rights granted to them in this Agreement. The failure of either of them to exercise at any time any right granted to them will not be deemed or construed to be a waiver of that right, nor will the failure void or affect that party's right to enforce that right or any other right.

D. Severability. If any provision of this Agreement is construed or held to be void, invalid, illegal, or unenforceable in any respect, then the remaining part of that provision and the remaining provisions of this Agreement will not be affected, impaired, or invalidated thereby, but instead will remain in full force and effect. The unenforceability of any provision of this Agreement will not affect the enforceability of that provision in any other situation.

E. Entire Agreement. This Agreement and its attachments, constitutes the entire agreement between the parties and supersedes any and all prior agreements and negotiations between the parties, whether written or oral, relating to the matters addressed in this Agreement.

F. Interpretation. This Agreement should be construed without regard to who drafted the various provisions of this Agreement. Moreover, each and every provision of this Agreement should be construed as though the Village and the Park District participated equally in the drafting of this Agreement. Any rule or construction that a document is to be construed against the drafting party thus is not applicable to this Agreement.

G. No Third-Party Beneficiaries. No claim as a third-party beneficiary under this Agreement by any person may be made, or be valid, against the Village or the Park District.

IN WITNESS WHEREOF the Village and the Park District have caused this Agreement to be executed by their properly authorized representatives as of the Effective Date.

VILLAGE OF LA GRANGE

PARK DISTRICT OF LA GRANGE

By: _____
Village President

By: _____
Board President

Attest:

Attest:

By: _____
Village Clerk

By: _____
Executive Director

3.54

ACKNOWLEDGEMENTS

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for Cook County, Illinois, do hereby certify that _____, personally known to me to be the Village President of the Village of La Grange, an Illinois municipal corporation, and _____, personally known to me to be the Village Clerk of the Village, and personally known to me to be the same persons whose names are subscribed to the foregoing Agreement, each appeared before me this day in person and acknowledged that, as the Village President and Village Clerk, they signed and delivered the Agreement, pursuant to the authority given by the Village, as their free and voluntary act and as the free and voluntary act and deed of the Village, for the uses and purposes set forth in the Agreement.

Given under my hand and official seal this ____ day of May 2013.

Notary Public

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for the said County, in the State aforesaid, do hereby certify that _____, personally known to me to be the President of the Board of Commissioners of the Park District of La Grange, an Illinois municipal corporation, and _____, personally known to me to be the Executive Director of the Park District, and personally known to me to be the same persons whose names are subscribed to the foregoing Agreement, each appeared before me this day in person and acknowledged that, as the Board President and Executive Director, they signed and delivered the Agreement, pursuant to the authority given by the Park District, as their free and voluntary act and as the free and voluntary act and deed of the Park District, for the uses and purposes set forth in the Agreement.

Given under my hand and official seal this ____ day of May 2013.

Notary Public

3.55

FINDINGS OF FACT

PLAN COMMISSION

OF THE VILLAGE OF LA GRANGE

President Asperger and
Board of Trustees

February 12, 2013 & April 4, 2013

RE: PLAN COMMISSION CASE #209 –Special Use Permit/Site Plan Approval to authorize a Skate Park and Band Shell, Gordon Park, 90 Locust, Northeast quadrant of Ogden Avenue and La Grange Road, Park District of La Grange.

We transmit for your consideration the recommendations of the Plan Commission of the Village of La Grange for a proposed special use permit and site plan approval at Gordon Park, Park District of La Grange.

I. THE APPLICATION

The Applicant, Park District of La Grange, seeks a special use permit and site plan approval for improvements to Gordon Park and to authorize a skate park and performance shell within the OS Open Space District at the property at 90 Locust.

II. THE PUBLIC HEARING

After due notice given in accordance with law, the Plan Commission held a public hearing on February 12, 2013, in the La Grange Village Hall Auditorium. Present were Commissioners Paice, Pierson, Reich, Stewart, Weyrauch and Williams, with Chairman Kardatzke presiding. Also present were Village Trustee Liaisons Mark Langan and Jeff Nowak, Village Trustee James Palermo, Village Manager Robert Pilipiszyn, Director of Public Works Ryan Gillingham, Community Development Director Patrick D. Benjamin, Assistant Community Development Director Angela M. Mesaros, and Village Attorney Mark Burkland.

Chairman Kardatzke convened the meeting and swore in Dean Bissias, Executive Director, Park District of La Grange; Mary Ellen Pennicook, President, Park District of La Grange; and David Silverman, Attorney, who presented the application and answered questions from the Commissioners.

- Mr. Bissias stated that the Park District has improvements to Gordon Park with a plan that is slightly revised from the approvals by the Department Head Staff in 2010. These changes include repositioning the performance shell, adding a skate spot and bike racks.

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- Ms. Pennicook stated that the Park District requests that the special use be approved as submitted, but requested that the Plan Commission leave off a few of the conditions recommended by Village Staff.
- Ms. Pennicook addressed the proposed conditions specifically: (1) The wording for public utility easements needs to be done properly so as not to interfere with OSLAD grant restrictions and any work should be done at time with least amount of disruption to land; (2) Dedication of the land for the right-of-way needs to be worked out at a future date when it is really necessary; and (3) The maintenance shed is actually being used by the Village Fire Department and Police Department and the Park District needs this for construction staging. The Park District wants this to be demolished but at the proper time.
- David Silverman stated that the special use permit is necessitated by two elements of the site plan – the skate spot and the performance shell. The other elements do not require special approvals. One of the changes since 2010 is that the band shell has been oriented to project away from the residential properties in order to minimize impact.
- Mr. Silverman addressed the conditions recommended by Village Staff in the Report dated February 12, 2013: The Park District agrees to the conditions for bicycle parking and MWRD permits. They request that any security enhancements be dedicated to the Village. They asked for clarification of the lighting requirements. They question the relationship between the proposed park improvements and any impacts on the intersection of Locust and Ogden. In addition, they are concerned that the utility easement language must comply with their OSLAD grant.
- Mark Burkland, Village Attorney, stated that the Village will work with the Park District to draft ordinance language, and the Village would not suggest any language that might put the Park District project in jeopardy. Mr. Burkland has contacted the Illinois Department of Natural Resources (IDNR) to confirm that the easement language is compliant with the Park District grant.
- Ryan Gillingham, Director of Public Works, Village of La Grange, presented exhibits for the Village Staff proposed public utility easements for Gordon Park, including a proposal to tie together all existing utilities with future Village and Park District utilities.

Chairman Kardatzke solicited questions from the Commissioners:

- Chairman Kardatzke asked for clarification of the proposed easements. Answer: the Village currently has easements on the Park District property. The request is to vacate any existing easements that are not needed and create new easements for existing and future underground utilities. Chairman Kardatzke further asked if this is related to the OARS project. Answer: Yes as well as other projects. Ms. Pennicook stated that the Park District does not object to the easements, but does not want this to be a condition of approval. Mr. Burkland stated that the Village recommends that they remain in place.
- Commissioner Stewart asked about the proposed intersection improvements, specifically if the Village has to own the land or could it be taken by Illinois Department of Transportation (IDOT). The Village staff believes that there will be increased traffic as a result of this project due to the addition of amenities such as the band shell and enhanced playground that are meant to make the park more attractive. It is within the site plan and special use approval to consider such impacts. Village could ask for a monetary contribution, but staff does not recommend that approach. Mr. Silverman stated that it is the Park District's opinion that this dedication is inappropriate; the proposed skate spot and performance area will not generate enough traffic to warrant intersection improvements.
- Commissioner Stewart asked if IDOT would have the authority to decide about this property, ultimately, if there was a need. Mr. Burkland stated that the Village has been in consultation with IDOT about this intersection.
- Commissioner Williams asked about the timing of the project. Answer the Park District hopes to start construction as soon as possible. Mr. Burkland stated that the Village has no set time table on utilities or road dedication.
- Commissioner Reich asked about the expectations for the band shell. Mr. Bissias stated that it is a small area – fifteen feet by 20 feet with a canopy covered area that will mainly be used for the family fest once a year.
- Chairman Kardatzke stated that it is clear that there is not agreement between Village Staff and the Park District on the conditions. He believes the appropriate thing to do would be to table this matter so that the parties would have an opportunity to resolve the differences.

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Chairman Kardatzke entertained a motion to table the matter. A motion was made by Commissioner Reich and seconded by Commissioner Williams to table the application for Plan Commission Case #209 so that the Park District and Village Staff could reach agreement on the conditions of the special use.

Motion to Table Carried by a roll call vote (7/0/0):

AYE Paice, Stewart, Pierson, Reich, Weyrauch, Williams and Chairman Kardatzke.

NAY: None.

ABSENT: None.

On April 4, 2013 at 7:30 p.m., the Plan Commission reconvened the hearing for special use and site plan for Gordon Park in the La Grange Village Hall. Present were Commissioners Paice, Pierson, Weyrauch and Williams, with Chairman Kardatzke presiding. Also present were Community Development Director Patrick D. Benjamin, Assistant Community Development Director Angela M. Mesaros, Village Attorney Mark Burkland, Public Works Director Ryan Gillingham, Village Trustee Liaisons Mark Langan and Jeff Nowak.

Chairman Kardatzke reconvened the meeting and swore in Dean Bissias, Executive Director, Park District of La Grange; Jeffrey Braun, Architect, Cody Braun & Associates and Daniel Bolin, Attorney, who presented the application and answered questions from the Commissioners.

- Mr. Benjamin introduced the application and stated that Staff met with the Park District representatives and reached agreement on the conditions as outlined in the Staff Memorandum dated April 4, 2013.
- Mr. Bissias stated that the Park District and the Village have reached agreement on all the terms and conditions of the special use for the splash pad and performance area.
- Mr. Braun described the proposed improvements to the west half of Gordon Park, including a pathway around the park and pathway lighting, football and soccer fields on the north end, toilets, splash pad, skate spot, play area, performance shelter, and new water and sanitary connections for the building with the toilet. Mr. Braun stated that the Park District does not propose new lighting for the ball fields at this time.

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- Mr. Bolin stated that with the conditions as proposed, the Park District believes that the improvements to Gordon Park meet the standards for special use as outlined in the Staff Memorandum and that the proposed recreational uses are consistent with the purposes of the Open Space District.

Chairman Kardatzke solicited questions from the Commissioners:

- Commissioner Weyrauch asked about sound amplification at the performance shelter. Answer: they do not proposed built-in amplification at the shelter. The shelter will have electrical so that performers can plug in their own equipment. Commissioner Weyrauch further asked about control of the power, i.e., could it be turned on/turned off to prevent random amplification of sound that was not approved. Answer: Yes, the Park District will have control.
- Commissioner Weyrauch asked about the hours of performances. Answer: local performers will be required to get a permit through the Park District. The Park District does not anticipate that this shelter will be used beyond major Park District events.
- Chairman Kardatzke asked about guidelines for sound level. Answer: the Park District will follow Village regulations that no noise be permitted beyond the property boundaries. (The Code of Ordinances governs sound levels.)
- Chairman Kardatzke asked about the skate park liabilities. Answer: this will be “at your own risk.” This proposed skate spot will not have deep holes, but is designed with only small spots, jumps and low rails.
- Chairman Kardatzke asked about pedestrian traffic crossing Ogden Avenue to get to Gordon Park. Mr. Burkland stated that the Village has discussed this, and while Village Staff anticipates some increases in traffic, this should not be uniquely attributable to the park. The Village suggests some measure of contribution from the Park District for vehicular traffic at the intersection, but an approved pedestrian crossing at Ogden would be beyond the responsibility of the Park District.
- Commissioner Weyrauch asked about lighting and pole placements on the site plan. Answer: Mr. Braun stated that yes, the photometrics do comply with the Village and Staff has confirmed. Commissioner Weyrauch further asked if there was any light spillage. Answer: No, the proposed lights are only pathway lightings, fifteen feet

high that will shine toward the path. Commissioner Weyrauch asked if these were LEDs. Answer: Yes. Commissioner Weyrauch asked about timing of the lighting. Answer: At most parks, lights are on from sunset until 1 or 2 a.m. for safety and the pathway lights shut off at midnight.

- Commissioner Paice asked about the ball field lights. Answer: The soccer fields have not yet been approved by the Park District Board and are not yet proposed.

Chairman Kardatzke solicited questions from the Audience:

- Harlan Hirt, 421 S. Spring Avenue, submitted a summary of comments as part of the public record. Mr. Hirt stated that he does not feel that the public information process before the Plan Commission was clear. Mr. Hirt identified several items from the February 12, 2013 Staff Report for clarification. These items included land ownership and the current status of Hazel Avenue parking. In addition, Mr. Hirt asked questions about the conditions as proposed in the Staff Memorandum dated April 4, 2013. He stated that he did not see an attached site plan and he finds the memorandum unclear on specific action to be taken by the Plan Commission. He asked for clarification of the “pencil tip” transfer, Hazel Avenue parking, public utility easements, clarification of the condition for bike racks, and he believes that all three buildings should have been included in the condition for demolition of the maintenance shed. Answer: most of the issues would be addressed at the conclusion of public comments.

Chairman Kardatzke closed the public comments portion of the meeting and solicited comments from the Commissioners:

- Mr. Burkland responded to Mr. Hirt’s questions with the following comments: The Park District has agreed to grant a permanent easement to the Village for the “pencil tip” for future improvements to the intersection of Locust and Ogden Avenue. The “pencil tip” includes three parcels – Lots 15, 16 and 17 as depicted on the exhibit attached to the Staff Memorandum.
- Mr. Burkland further stated that the Village and the Park District have reconciled any differences related to all of the conditions, including the easements, which were presented in detail at the first public hearing on February 12, 2013. The Park District is working collaboratively with the Village towards permitting and will meet the standards of the Village as well as MWRD for all required permits.

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- Mr. Burkland stated that the one new matter that will be brought to the Village Board is the potential parking on Hazel Avenue. This issue first arose at the public hearing for the YMCA development project (in 2008) and the Park District's desire for additional parking. The Village would grant a portion of Hazel Right-of-Way to the Park District for the parking area depicted on the site plan; however, this is not necessary at this time for Plan Commission recommendation. This will be undertaken by the Village Board of Trustees. Staff has examined this issue and determined that it is intertwined but not a part of this particular approval.
- Mr. Benjamin stated that Staff Reports often introduce concepts for Plan Commission consideration. The exact details of the ordinance will be presented to the Village Board of Trustees for approval. The demolition agreement with the Park District did not include all three buildings, but the one building that has been used for training by the Fire Department. Mr. Benjamin further stated that the bicycle parking is in place on the site plan for approval and the necessary pedestrian walkways have been included.

There being no further questions or comments from the audience or the Commissioners, a motion was made by Commissioner Paice, seconded by Commissioner Pierson that the Plan Commission recommend to the Village Board of Trustees Approval of the application for special use and site plan with conditions as outlined in the Staff Memorandum dated April 4, 2013 with PC Case #209.

Motion to APPROVE Carried by a roll call vote (5/0/0):

AYE Paice, Pierson, Weyrauch, Williams, and Chairman Kardatzke.

NAY: None.

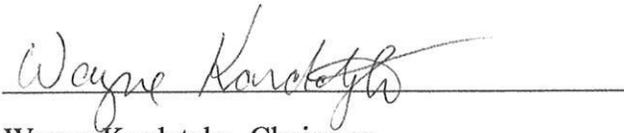
ABSENT: Reich and Stewart.

BE IT THEREFORE RESOLVED that the Plan Commission recommends to the Village Board of Trustees granting a special use and site plan approval for the property described in PC Case #209, commonly referred to as Gordon Park, 90 Locust Avenue, on application by the Park District of La Grange.

Respectfully Submitted,

PLAN COMMISSION

OF THE VILLAGE OF LA GRANGE

A handwritten signature in cursive script, reading "Wayne Kardatzke", is written over a horizontal line.

Wayne Kardatzke, Chairman

3.63

Summary Comments for the La Grange Plan Commission - April 4, 2013

Prepared by Harlan Hirt, 421 S. Spring Ave

You will find in the attached comments that after I had the opportunity to review documents pertaining to the Gordon Park item on the agenda, four pages of comments were prepared. I trust that they will be part of the record even though I do not want to read them into the record, but would want to highlight some points.

First of all, I am suggesting that the Plan Commission review its public information procedures as I found them somewhat confusing and not as informative as the Village Board Process.

Upon review of the February 12 Staff Report, I found six points that I find to be incorrect or misleading. Some of these may not affect decisions reached, but if subsequently relied upon for information could misinform the public.

1. The current status of land ownership is not presented.
2. The staff report omitted any information on the proposed parking for Hazel Ave.
3. Information on the drainage from Gordon Park is incorrect.
4. There is no reference in the Staff Report to the charts that were prepared by the Village.
5. The amount of land being considered for dedication or transfer is not stated.
6. The definition of the buildings in Gordon Park is unclear, therefore the condition is vague.

Because the issue was tabled at the Feb 12 meeting, hopefully the record of the decision will now include the expanded and corrected information in my comments.

I now find that the April 4 Staff Report is incomplete in that the concluding sentence states that it contains the conditions for Commission approval and an attached site plan. I do not find these items in the document. But instead, it repeats the draft conditions from the Feb report and discusses how these might be amended or deleted. It is therefore, not clear what action is expected this evening.

There remain several points which are unclear.

1. While the term "pencil tip" is understandable, I have seen two documents with different presentations. Also, the means of effecting this transfer should be presented, including whether permission to build parking on Hazel Ave can be integrated into this transfer.
2. There should be available a clear presentation of easements to be granted and vacated.
3. Whether all 3 buildings are in the scope of the condition requiring demolition needs clarification and it may be better to key the timing to the construction schedule.
4. It is unclear whether with the changes to lighting and bicycle racks, a condition is still required or if plans have been revised.

Unless the staff has prepared an additional updated document, it is difficult to envision a final action by the Plan Commission being taken this evening, which unfortunately would appear to result in further delays to the project.

3.64

Prepared by Harlan Hirt, 421 S. Spring Ave

The first comment is one of procedures. Since I was alerted to the deliberations of the Plan Commission regarding the proposed improvements to Gordon Park, I attempting to get documents that provide information so I can understand the issues. Being a member of the La Grange Environmental Quality Control Commission, I do have an abiding interest in what happens to the open space and parklands of the Village. Because I was first denied any information in an informal request, I filed a Freedom of Information request. This resulted in some information, and then I was also provided a draft of the minutes of Feb 12, and a briefing document regarding the Gordon Park question.

The Plan Commission apparently does not post an agenda package, that provides information in advance of its meetings. I was first advised that drafts of minutes of the previous meeting are not released to the public until they have been reviewed and approved at the next meeting, but later received a copy upon personal request. (On this point I will note the Village Board of Trustees has a much more informative process, including the posting of draft minutes.) I would therefore suggest that the Plan Commission assess its practices to more closely follow the Board's concepts.

For the specific issue on the agenda, the approval of the improvements to Gordon Park, I see no need for the Plan Commission to withhold these discussions from the public, but rather should be conducting an open evaluation, with alternatives being made available for public comment before an agreement is reached. After all, both bodies of government are representing the same citizens doing different functions of local government.

February 12, 2013 Staff Report

Having said that, I have available a copy of the Feb 12, 2013 Staff Report for what is identified as Case #209, the Plan Commissions evaluation of the proposed Gordon Park improvements. It came as somewhat of a surprise that this document has a number of errors and incomplete items of information and that the Commission may have made decisions based on this document. In that the draft minutes of the Feb 12, meeting identifies that action was tabled, that would not be the case. What undocumented guidance the Commission may have given is unknown. My first comments will be based on the Feb 12 document.. The later ones reflect the document prepared for tonight's meeting.

First of all, this Feb 12 staff document should clearly define the status of land ownership regarding Gordon Park and associated parking lots. When the YMCA project was active, the Village and the Park District agreed to trade parcels; however that was conditioned upon the proposed development project proceeding. Even though it did not, there was a protracted extension of the agreement. I have been assured that this agreement has now formally lapsed, and therefore the Village has regained ownership of the eastern half of the western parking lot and the western half of Hazel Avenue.

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The last sentence of paragraph #2, page 1 states that all improvements proposed are in the west half of GP. Based upon discussions at the Feb 11 Park District Board meeting, it appears that the District's solicitations for bids included the construction of parking spaces along the east side of Gordon Park, i.e., using the west portion of the Hazel Avenue right of way. Proceeding with this was deferred to determine if the Village would agree. Clearly, this facet of the project should be on the table.

On page 4, the first sentence of par 2 suggests that some of the drainage of Gordon Park goes to Village sewers and some goes to the deep tunnel project. As of now, there are no drains from GP that do not connect to Village sewers. Even the under-drains that were installed without official sanction, and which apparently have now been disconnected, used Village sewers as the outlet. The plans to improve Gordon Park identify that all sewers and drains from the Park will connect to Village lines.

The last sentence of paragraph 2 is thought to be correct, i.e., sewers were placed based on less than written easement agreements, and is important in understanding that the Village is now seeking some of the rights of way as conditions for approval of the proposed construction.

Par 4, page 4, addresses that the need for easements to maintain past and build future sewers will be discussed. For the public's benefit, it should be understood that five charts presenting the information were developed. I would hope that these were provided to the Commission as part of this staff document, so they could be reviewed. Also, the public would be better served if this briefing document identified that these charts exist.

Paragraphs 3 and 4 of page 5 discuss the desire of the Village to obtain a "small" parcel for the possible future extension of Locust Ave (currently the western half of the parking lot) directly to Ogden Avenue. As noted in the previous paragraph, it would have been well to include reference to an attached chart. During review of the charts I obtained, it was noted that the Village proposed the transfer of the entire strip of land between the south parking lot and Ogden Avenue. This would be about 10,000 sq ft, and would be used for a turning lane off of Ogden. However, another chart, suggests only the triangle of land extending into Locust Ave extended, about 2,000 sq ft, would be transferred. The recommendation #1 on page 9 appears to address the larger parcel.

Although I have misgivings about the concept of planning ahead for this connection, as it would also support the previous concept of the Village opening Locust Ave through a connection to the vacated Shawmut Ave, it would appear that if this proposal, which would result in the loss of considerable green space is resurrected, the land transfer of either 10,000 or 2,000 sq ft would only be a minor consideration in those deliberations. It is extremely unlikely that the intersection between Locust and Ogden could be justified by Gordon Park activity, as premised in par 5, page 7, but one would not fault the Village staff for thinking ahead.

It is noted that in par 4 of page 5 the word "dedicate" is used, which could imply a commitment, but not actual transfer. However, later on page 9 in recommendation #1, "must transfer" is used.

This transfer would bring in the provisions of another State statute, 50 ILCS 605, and these requirements should be on the table for full understanding of the Commission and the public.

Lest it be lost in the above discussion, and the Village agrees it does not want the larger parcel at this time, the chart also showed that there could be a time when the Village would want to construct a relief sewer from the Hillgrove Avenue sewer to the new Ogden Ave relief sewer. This could require an right of way under the strip of land in question. The charts did not clarify this point.

Par 1 of page 8 would appear to be an indirect way of identifying that the ownership of the east half of the parking lot has reverted to the Village. As noted previously, this should have been more overtly identified.

What is not understood in this discussion on parking on page 8 is why there is no presentation of placing parking on Hazel.

Page 9, par 2, identifies that there is an "old masonry maintenance shed"; however it does not identify that there is also a much larger maintenance and storage building adjacent to the old building. Certainly the presence of this building should be noted and it's future use or demolition should be addressed. Recommendation 5 on page 10, uses the term "its maintenance shed", which does not really describe either building. Again, the commissioners and the public should have a clear understanding of the intent. As an aside, at the Feb 11 Park District meeting, this issue was discussed and staff suggested that the buildings would be made available to the contractor for use during construction, and this would not agree with the recommendation.

April 4, 2013 Staff Report

The memorandum dated April 4, 2013 appears to give a rather conflicting view of what has transpired since the Feb meeting. One could read it to say that material in italics remains the proposed conditions for consideration this evening, but they do appear to be a reprinting of the Feb conditions. Given the text that follows each condition, one would have expected there to be a revised condition that the Plan Commission would approve and forward to the Village Board. Note that the last sentence on page 3 says, "with the conditions as listed in this memorandum", which is clearly not the intent. Also the "attached site plan" was not provided, but those might be the documents attached to the special use application. Have they been modified to reflect the agreements?

Regarding the property transfer of the "pencil tip", in documents I have reviewed one showed the line being the east edge of Locust extended to Ogden Ave right of way, and another showed all of "Lot 17" designated for transfer. Because it appears that there is agreement on this transfer, it

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would be good if the requirements to effect that transfer were defined.

It would appear useful if a clear definition of the new easements to be granted and those to be vacated would be available for public information, before being referred to the Village Board. As noted above, the status of the proposed easement from Hillgrove Ave sewer should not get lost in the agreement on property transfer, that only the “pencil tip” would be transferred.

As noted above in discussion of the February memo, there is no clear definition of “maintenance shed”. Discussions with Village staff suggested that demolition of all of the buildings was intended, so it is unclear as to what the Park District has agreed to. Also, it would be better if this agreement identified the expected construction schedule, and keyed the demolition to that time frame.

Regarding the Lighting Plans and Bicycle Parking it is unclear if the Park District plans have been revised to incorporate the agreement, or whether implementing what has been agreed to would still be a condition imposed by the Village.

Regarding the approval of the construction of parking along the west side of Hazel, this would not be a condition of approval of the special use permit. Is it appropriate to legally burden the Village with a responsibility, as a compensating factor for items imposed as conditions? One might consider linking this to the Park District’s agreement to transfer property to the Village. My reading of the IL statute is that there does not have to be any compensation, if the transfer is in the public interest; but if there is to be a relationship, it should be understood.

Conclusion

My intent in preparing these comments is that they be part of the public record for the review of the project. Clearly, making a decision on what I have been provided and therefore what I have to assume is the public record and the basis of a decision, would not be in the public interest, even if a good decision is reached.

However, I also conclude that if my understanding of what is intended is correct, it is time to move this forward. In past discussions, I have clearly stated that I did not object to improving Gordon Park, however, I did not think that trading away land to do it and the process used to define that trade, was in the public interest. This does appear to be the time to address some past oversights and prepare for the future. But the bottom line should be moving forward.

3.68

VILLAGE OF LA GRANGE
Community Development Department

MEMORANDUM

TO: Plan Commissioners

FROM: Patrick D. Benjamin, Community Development Director
Angela M. Mesaros, Assistant Community Development Director

DATE: April 4, 2013

**RE: CONTINUATION OF PLAN COMMISSION CASE #209 - SPECIAL USE /
SITE PLAN APPROVAL TO ALLOW A SKATE PARK AND BAND SHELL
IN THE OS OPEN SPACE DISTRICT – Gordon Park, 90 Locust Avenue, Park
District of La Grange.**

Since your last meeting, Staff and the Village Attorney have met with representatives of the Park District of La Grange to discuss the conditions proposed at the Plan Commission public hearing on February 12, 2013. We have reached agreement on the conditions of the special use. The following is a list of the proposed conditions (in italics) with changes indicated in the text and comments below each item, and attached are revised exhibits and additional information:

- ***Dedication of Property for Ogden/Locust Intersection Improvements.*** *The Park District must transfer to the Village the parcel of property it owns abutting Ogden Avenue (south of the Village's commuter parking lot), which parcel lies outside of the Gordon Park renovation plan, for use in future improvements to the intersection of Ogden Avenue with Locust Street, Those future improvements may include straightening the intersection, adding a deceleration lane for westbound traffic on Ogden Avenue, and adding pedestrian access and safety features, among other things.*

Staff and the Park District agree to transfer from the Park District to the Village of a triangular "pencil tip" parcel at the corner of Ogden Avenue and Locust Street for future improvements to the intersection (lots 15, 16, & 17 on attached Sidwell Exhibit).

- ***Public Utilities Easements.*** *The Park District will grant to the Village any subterranean easements necessary for existing utilities that lie outside of existing easements and for future utilities. (These easements will not affect the renovation plans and will not affect the grants secured by the Park District to fund the proposed improvements.) In exchange for the revised and new easements the Village will vacate any easements that are no longer needed.*

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The Village Attorney has written language and gotten confirmation of approval of such ordinance language from the Illinois Department of Natural Resources (IDNR) senior grant administrator. The Park District has agreed to this condition.

- ***Stormwater Management and MWRD Facilities. The Metropolitan Water Reclamation District has jurisdiction over improvements made by the Park District within Gordon Park that affect stormwater management and drainage. The Park District will secure MWRD approval of its plans before commencing work. In addition, the MWRD maintains facilities within Gordon Park, and the Park District should grant to the MWRD any easements necessary to cover existing or future MWRD underground facilities within the park.***

The Park District has agreed to this condition.

- ***Security Enhancements. The Park District must install security systems within Gordon Park as recommended by the Police Chief, including a closed circuit television system at the concession stand and outside of the restroom facility.***

Both the Village's Police Chief and the Park District recognize the challenges of monitoring such a system and have agreed that this will no longer be a condition of approval.

- ***Demolition of Maintenance Shed. The Park District will demolish its maintenance shed. The Park District must obtain a permit from the Village and from Cook County authorizing the demolition. Demolition must be completed within one year of issuance of a building permit.***

We have agreed to demolition commencement within one year after the issuance of a building permit for the Gordon Park improvements unless agreed by both parties to extend the time frame.

- ***Lighting Plans. Before the Village issues any building permit for the Project, the Park District must submit to the Village, for Village review and approval, lighting plans for the renovation. Those plans must include, among other things, placement of light standards, the numbers and types of every proposed light fixture, and complete photometric calculations within Gordon Park and on abutting property. The plans must comply with the standards set forth in the Village's Code of Ordinances.***

The Park District has provided this information and staff has reviewed the plans and found them in compliance with our Codes.

- ***Bicycle Parking. The Park District will provide adequate and useful bicycle parking within 200 feet of each new recreation area. Before the Village issues any building permit for the Project, the Park District must submit for review and approval, detailed plans for the bicycle parking, including location, number, and design.***

This condition has been satisfied by the Park District. They have provided additional information. Staff has reviewed the plans and found them in compliance with our Codes.

- ***Other Conditions.***

Although outside the Park property, Staff will recommend that the Village Board issue a license to the Park District for the construction and maintenance of additional parking in the Hazel Avenue Right-of-Way subject to engineering review for compliance with parking standards.

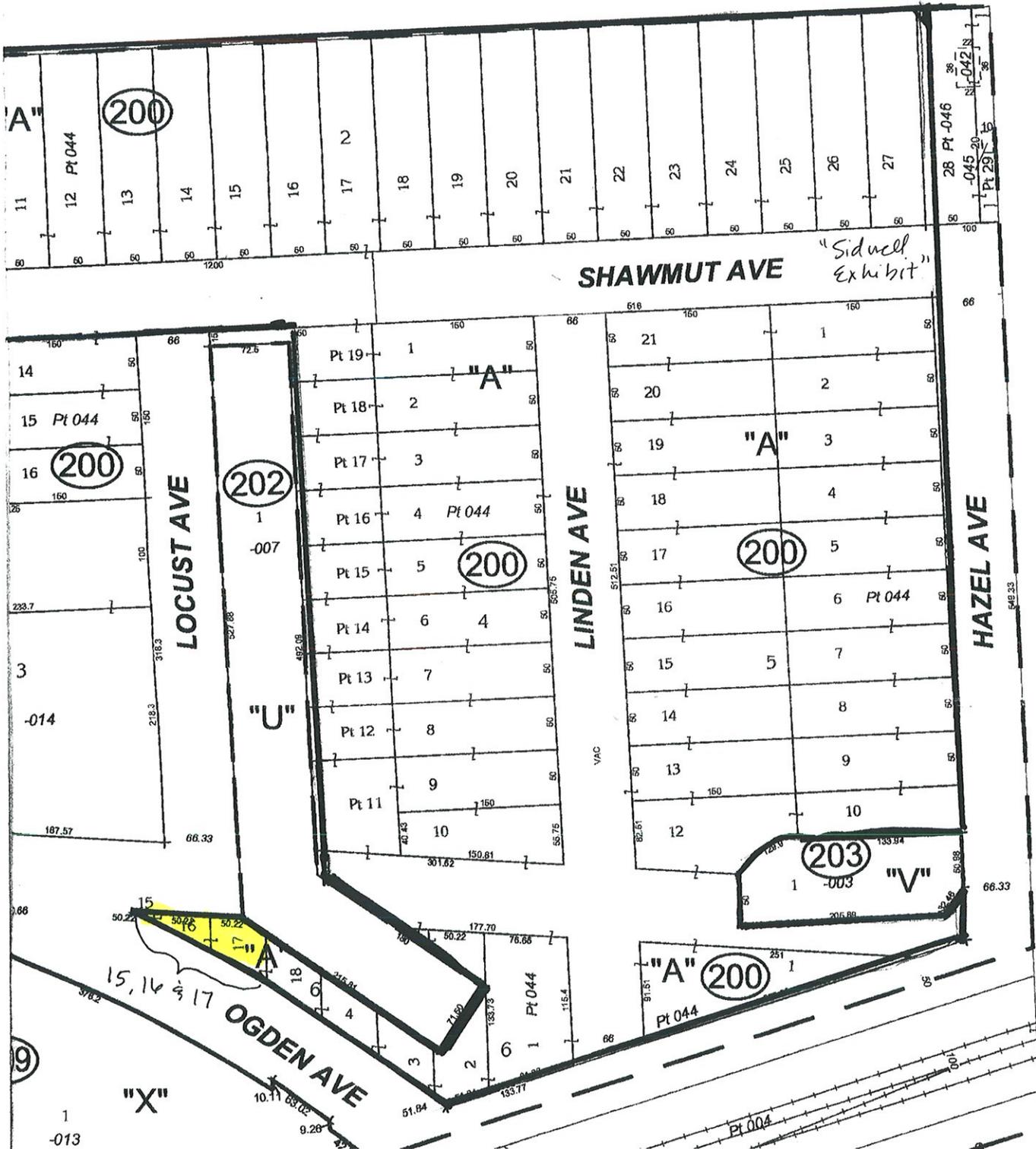
After presentation of its renovation plans and any other testimony during the public hearing, the Plan Commission may determine to recommend additional conditions related to elements of the renovation project.

The Applicant will present the documents and the public will have an opportunity to comment on the application at your meeting.

Should the Plan Commission find that the Special Use and Site Plan standards have been achieved, the Plan Commission may wish to recommend to the Village Board **granting a Special Use Permit to operate a skate park and performance shelter in the OS Open Space District with the conditions as listed in this memorandum and for site plan approval of improvements to Gordon Park as depicted in the attached site plan for the property commonly referred to as 90 Locust Avenue.**

NE 1/4 SEC 4-38-12

LYONS



STAFF REPORT

PC Case #209

TO: Plan Commission

FROM: Patrick D. Benjamin, Community Development Director
Angela M. Mesaros, Assistant Director, Community Development

DATE: February 12, 2013

RE: SPECIAL USE / SITE PLAN APPROVAL TO ALLOW A SKATE PARK AND BAND SHELL IN THE OS OPEN SPACE DISTRICT – Gordon Park, 90 Locust Avenue, Park District of La Grange.

I. BACKGROUND:

As you may recall, the Planned Development approvals for the redevelopment of the YMCA property by Atlantic Realty Partners in 2008 included the condition that the developer provide monetary contributions toward future improvements to Gordon Park. This redevelopment project was approved by the Village Board but ultimately was not constructed due to adverse economic factors and a protracted court battle over Park District's ability to sell land for the development. In July 2008, the Park District applied for an Illinois Outdoor Recreation grant, the application was resubmitted in 2009, and was awarded in 2010, to fund park improvements. The Park District has engaged consultants for improvements to Gordon Park.

This first phase is the largest and covers the west side of the park. Improvements to the park include splash pads, concession stands, restroom facilities, new pathways, storage building, play equipment area, park shelter, butterfly garden, soccer field, football field, fencing around the tennis courts, sports field lighting, drainage system improvements, skate park and performance shelter. All improvements proposed are on the west half of Gordon Park for this first phase of redevelopment.

In 2010, the Park District presented a proposed site plan for Gordon Park to Department Head Staff for review. This plan was reviewed and conditionally approved; however, the project did not undergo construction at that time. In November 2012, the Park District presented a revised site plan based on previous comments for further review by Department Head Staff.

Since the initial site plan review, upon a recommendation from Staff and the Plan Commission, the Village Board has amended the Zoning Code Open Space district list of permitted and special uses. The amendments included reclassification of two elements of the new site plan from permitted uses to special uses—the band shell and skate park. Therefore,

the proposed improvements to the park now require a special use permit and site plan approval with a public hearing before the Plan Commission. The Park District is now requesting a Special Use Permit to add a skate park and band shell to Gordon Park as well as site plan approval for the entire proposed site plan.

II. APPLICATION:

1. SPECIAL USE TO ALLOW A SKATE PARK AND BAND SHELL IN THE OS OPEN SPACE DISTRICT

The Park District of La Grange has filed applications with the Community Development Department for a Special Use Permit and Site Plan Approval to operate a skate park and band shell at Gordon Park. This special use is part of a major renovation of the existing park. Site Plan Approval is for the entire project – including both Phase I & Phase II improvements to Gordon Park.

SPECIAL USE

SPECIAL USE STANDARDS:

In reviewing the Special Use application, please be sure that the standards listed on the application have been met. In determining that, consider Paragraph 14-401E1 of the Zoning Code:

- (a) Code and Plan Purposes
- (b) No Undue Adverse Impact
- (c) No Interference with Surrounding Development
- (d) Adequate Public Facilities
- (e) No Traffic Congestion
- (f) No Destruction of Significant Features
- (g) Compliance with Standards

- (a) *Code and Plan Purposes: The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the Official Comprehensive Plan.*

According to the La Grange Zoning Code, the OS Open Space District is intended to “recognize the existence of major open space and recreational areas in the Village.” This district was most recently amended in 2011 so that the Code distinguishes

public recreational uses and open space, which are permitted, from private uses classified as special uses. However, certain public uses may have an impact on the neighborhood through noise and/or traffic, parking, etc., and are therefore permitted only subject to the issuance of a special use permit. Due to the nature of these uses, approvals are determined on a case-by-case basis through a public hearing process. Much of the improvements proposed for Gordon Park are permitted uses; however, skate parks and band shells are listed among the special uses within the OS district. In addition, the entire site must receive site plan approval by the Plan Commission and Village Board as part of the special use process.

The *Comprehensive Plan* recommends that the Village cooperate with the Park District to create publicly accessible open space within the BNSF Corridor for community events. This project includes a band shell that we anticipate will create a venue for more community events, which is consistent with the goals of the Plan. It further creates a designated area for skate boarding, an activity which has increasingly caused concerns in the downtown Central Business District.

- (b) *No Undue Adverse Impact:* *The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.*

The improvements planned by the Park District are designed to make Gordon Park more useful and attractive to Village residents, including new play fields and a band shell among other improvements. Therefore, it is reasonable to anticipate that this project will increase the use of the park, with a greater number of activities and events at the park as well as an increase in attendance at those activities and events.

- (c) *No Interference with Surrounding Development:* *The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.*

The subject property is bounded by significant buffers with Ogden Avenue, a major arterial street, to the south and the IHB Railroad to the east.

The project includes a band shell that we anticipate will create a venue for community events. As requested in 2010, the location of the band shell has been moved to provide the least amount of impact on the surrounding residential areas.

- (d) *Adequate Public Facilities: The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.*

Over many years various drainage improvements have been made to Gordon Park. Some of these improvements connect to existing Village of La Grange sewer systems and others access the deep tunnel shaft which is located just to the west of the Village's water tower. Many of these improvements were done cooperatively between the Village and the Park District; however, in some areas, easements were never created to memorialize these improvements.

The Village has identified a public need for having access to the deep tunnel shaft for future drainage improvements including the Ogden Avenue relief sewer project (OARS) which has been established as a longer term capital project for several years. This improvement would provide much needed sewer capacity during periods of high intensity, long duration rainfalls. Currently, there is no funding for this project, however, the Village would like to retain easement access to the deep tunnel shaft should funding become available. Additionally, the Park District will need easements for water and sewer access crossing into the dedicated Locust Avenue.

Director of Public Works, Ryan Gillingham, has been working with the Park District engineer to determine accurate sewer and water locations. Ryan will attend your hearing and present the locations of proposed underground utility easements for Village access to both current and future public utilities within Gordon Park. Staff recommends that Village approval of the special use and site plan be conditioned upon the establishment of these easements.

In the site plan review meeting with Department Heads, the Police Chief has requested that a closed circuit television system be installed for safety at the proposed concession stand and outside of the restroom facility. Staff suggests that this be a condition of approval.

- (e) *No Traffic Congestion: The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets.*

The proposed location for this use is an existing public park north of Ogden Avenue at Locust Avenue within the OS Open Space district. We anticipate that the improvements planned will increase usage of the park, therefore generating increased pedestrian and vehicular traffic. This intersection, which served the now-demolished

YMCA facility and still serves Gordon Park, has long been identified by the Village for much-needed improvements to pedestrian safety and access. Its current configuration presents challenges to both motorists and pedestrians – with heavy traffic on Ogden Avenue, long vehicular queues for turning lanes, changes in elevation, lack of safe sight distances, etc.

Redevelopment plans for the YMCA site, as recommended by the Plan Commission and approved by the Village Board, included a complete overhaul of the Ogden/Locust intersection – adding a westbound deceleration lane leading to the intersection; vehicular improvements to help with circulation and access including a right turn lane from Ogden; and pedestrian improvements; access improvements, realignment, signalization and the addition of a left-turn pocket at the Locust/Ogden intersection.

The likely increase in pedestrian and vehicular traffic into, out of, and around Gordon Park as a result of the renovations will add pressure to the Ogden/Locust intersection.

At an appropriate point in time, the Village, in cooperation with the Illinois Department of Transportation (IDOT) will need to build improvements to the intersection. That project may be in partnership with the YMCA if it rebuilds its facility or with a private party if the YMCA property is redeveloped. In any case, some property currently owned by the Park District will be needed to implement the necessary improvements. None of that property is within the active park area or included in the renovation plans.

However, due to the fact that the park renovations are specifically and uniquely attributable to an increase in activity in the area of the intersection, it is not only necessary but also appropriate for the Park District to dedicate a small parcel of land at the southwest corner of its property for the Ogden/Locust intersection improvement.

In addition, we believe that the skate park and play area will create an increase in non-motorized vehicular traffic, therefore, Staff has requested that the Park District provide bicycle facilities and bicycle and pedestrian connections to existing pathways as a condition of approvals.

- (f) *No Destruction of Significant Features: The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic or historic feature of significant importance.*

This project includes significant improvements to a well established existing park. Staff does not anticipate any destruction of scenic or historic features.

- (g) *Compliance with Standards: The proposed use and development complies with all additional standards imposed on it by the particular provision of this code authorizing such use.*

The applicant has shown a willingness to comply with all applicable provisions of the Zoning Code.

DELIBERATION FACTORS:

Special Uses are defined as such due to some distinctive characteristic that requires careful review of location, design, and impact to determine whether their establishment should be permitted on any given site. They are uses that require weighing their possible impacts and effects on the community against any added benefit they may afford or need they may address. In order to determine their appropriateness on any proposed site and their compliance with proposed standards, the Commissioners should consider these factors as outlined in Paragraph 14-401E3 of the Zoning Code:

- (a) *Public Benefit: Whether and to what extent, the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.*

According to the petitioner, the proposed Special Use Permit would provide a service that enhances the well-being of the community by offering improved public park services. The Park District has included the skate spot and performance shelter in Gordon Park as a result of community input. Public meetings were held at the Village Hall in 2006-2007 at which the District sought public input on the redevelopment of Gordon Park. As a result of those meetings these amenities, as well as several others, were incorporated into an application for the OSLAD Redevelopment Grant from the Illinois Department of Natural Resources. Comments were made during these meetings that the skate spot could help reduce skateboarding in downtown La Grange.

- (b) *Alternative Locations: Whether and to what extent, such public goals can be met by the location of the proposed site or in some other area that may be more appropriate than the proposed site.*

The proposed use is only permitted in the OS district and not in any other district throughout the village; therefore, this use can only be allowed on parkland. According to the petitioner, the proposed location is the most appropriate area for a skate park and band shell for the following reasons: (1) Gordon Park is the largest park in the Village park system, (2) this location is in close proximity to the Central Business District, which has seen increases in skate-boarding activity, and (3) the site has good vehicular access due to its location on a major arterial highway.

According to the Park District, at the public meetings held by the Park District in 2006-07, it was determined that Gordon Park was the optimal location for a skate park since they did not have a skate park and the location is not directly adjacent to homes. The performance area was also suggested at these public meetings. It was discussed that the town could benefit from its inclusion since there was no area in town where people could gather to listen to bands and enjoy other entertainment venues on a scale appropriate for La Grange. Since these meetings, the Park District has relocated its annual Community Family Fest to Gordon Park.

- (c) *Mitigation of Adverse Impacts: Whether or to what extent, all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, landscaping, and screening.*

Staff recommends that approval of the Park District's special use applications be conditioned on the Park District's transfer of a parcel of land adjacent to the existing intersection of Ogden Avenue with Locust Street, as identified by the Village's Director of Public Works, to the Village for future improvements to that intersection and the roadways leading into that intersection.

SITE PLAN

A requirement of a Special Use Permit is also to submit information proving that the proposed use will not have undue adverse impacts on adjacent property, the character of the area, public health and safety; it must also include information regarding lighting, buffering, and proposed hours of operation for the facility.

The Park District has undergone a site plan review meeting with the Department Head staff with the following areas under consideration:

Parking

According to the Zoning Code, *public parks* are required: “None for the first acre PLUS 5 for all additional acres up to 5 acres PLUS 5 for each acre in excess of 5 acres.” Gordon Park is 16.4 acres, which equates to 65 required parking spaces [0 (first acre) + 5 (acres 2-5) + 60 (12 acres *5) = 65 spaces.] Although the Park District does not currently have any on-site parking spaces, they have historically had access to the adjacent Village parking and will continue to utilize that parking.

The Zoning Code allows for continuance of any existing deficiency in parking spaces as long as the use remains the same. Paragraph 10-101B1, General Requirements for Off-Street Parking, of the Zoning Code states, “No...use lawfully existing on the effective date of this Code...shall be required to provide any additional parking spaces...unless the aggregate increase in units of measurement shall equal 10 percent or more of the units of measurement.” The unit of measurement in this case is acres. As the Park District does not propose an increase in acres of Gordon Park, no additional parking spaces are required.

Lighting

Subparagraph 10-101C3 (e) of the Zoning Code, states, *in no case shall such lighting exceed three (3) foot candles measured at any lot line.* In addition, Paragraph 9-101C8 states, *except for streetlights, no exterior lighting adjacent to any residential district shall be so designed, arranged, or operated to produce an intensity of light exceeding one-half foot-candle at any residential lot line.*

Staff has requested that the Park District provide photometrics for the entire site plan to review the lighting for compliance with Village Codes. Upon review of preliminary photometrics, Staff noted that the foot candles appear to significantly exceed the standards on the west lot line. However, this may be the result of the street right-of-way lighting. More detailed photometrics that include the right-of-way show that the lighting is at zero foot candles at the property line of the YMCA, which complies with the Zoning Code requirements.

Noise Control

Subsection 5-109B of the Zoning Code states, *No use shall produce noise of such volume or pitch as to cause a nuisance in any residential district at any time or within any residential dwelling unit located in any district between the hours of 10:00 p.m. and 7:00 a.m.*

At the Department Head site plan review meeting in 2010 Staff asked that the band shell be rotated to reduce noise levels at property lines so that sound is not directed towards residential areas. The revised site plan currently under consideration appears to adequately address this issue.

Demolition of Maintenance Shed

Within the Gordon Park property is an old masonry maintenance shed. The shed has come into disrepair and has been utilized by the La Grange Fire Department and other area fire departments for burn and smoke training (See attached photos). However, with the improvements to Gordon Park and anticipated increased utilization by the community, we think it may become an attractive nuisance and therefore it is an appropriate time to require demolition of this structure. This is similar to the Village requiring the demolition of the Richport YMCA after it fell into disrepair. We believe this should be a condition of site plan approval.

III. RECOMMENDATION:

Should the Plan Commission find that the Special Use Standards have been achieved, the Plan Commission may wish to recommend to the Village Board **granting a Special Use Permit and Site Plan Approval for the property commonly referred to as 90 Locust Avenue to operate a skate park and performance shelter in the OS Open Space District with the following conditions:**

1. **Dedication of Property for Ogden/Locust Intersection Improvements.** The Park District must transfer to the Village the parcel of property it owns abutting Ogden Avenue (south of the Village's commuter parking lot), which parcel lies outside of the Gordon Park renovation plan, for use in future improvements to the intersection of Ogden Avenue with Locust Street. Those future improvements may include straightening the intersection, adding a deceleration lane for westbound traffic on Ogden Avenue, and adding pedestrian access and safety features, among other things.
2. **Public Utilities Easements.** The Park District must grant to the Village any subterranean easements necessary for existing utilities that lie outside of existing easements and for future utilities. (These easements will not affect the renovation plans and will not affect the grants secured by the Park District to fund the proposed improvements.) In exchange for the revised and new easements the Village will vacate any easements that are no longer needed.

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3. Stormwater Management and MWRD Facilities. The Metropolitan Water Reclamation District has jurisdiction over improvements made by the Park District within Gordon Park that affect stormwater management and drainage. The Park District must secure MWRD approval of its plans before commencing work. In addition, the MWRD maintains facilities within Gordon Park, and the Park District should grant to the MWRD any easements necessary to cover existing or future MWRD underground facilities within the park.
4. Security Enhancements. The Park District must install security systems within Gordon Park as recommended by the Police Chief, including a closed circuit television system at the concession stand and outside of the restroom facility.
5. Demolition of Maintenance Shed. The Park District must demolish its maintenance shed. The Park District must obtain a permit from the Village and from Cook County authorizing the demolition. Demolition must be completed within 120 days after work commences on the renovation.
6. Lighting Plans. Before the Village issues any building permit for the Project, the Park District must submit to the Village, for Village review and approval, lighting plans for the renovation. Those plans must include, among other things, placement of light standards, the numbers and types of every proposed light fixture, and complete photometric calculations within Gordon Park and on abutting property. The plans must comply with the standards set forth in the Village's Code of Ordinances.
7. Bicycle Parking. The Park District must provide adequate and useful bicycle parking within 200 feet of each new recreation area. Before the Village issues any building permit for the Project, the Park District must submit for review and approval, detailed plans for the bicycle parking, including location, number, and design.
8. Other Conditions. After presentation of its renovation plans and any other testimony during the public hearing, the Plan Commission may determine to recommend additional conditions related to elements of the renovation project.



LOGUST AVENUE

GORDON PARK

HAZEL AVENUE

OGDEN AVENUE

AVENUE

ROAD

AVENUE

AVENUE

3.83

12

29

5

5

18

2

1

15

15.78'

7

AVENUE

(310) 15

24

(311) 25

27

28

3

10

11

12

13

14

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17

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Village of La Grange

53 S. La Grange Road, La Grange, IL 60525
Phone (708) 579-2320 Fax (708) 579-0980

SPECIAL USE APPLICATION

TO THE PRESIDENT AND
BOARD OF TRUSTEES
VILLAGE OF LA GRANGE

Application No.: ~~210~~ ²⁰⁹
Date Filed: 1.08.13
UARCONo.:

(Please Type or Print)

Application is hereby made by The Park District of LaGrange

Address: 536 East Avenue, LaGrange, Illinois Phone: 708-352-1762

Owner of property located at: 90 Locust Avenue, LaGrange, Illinois (Gordon Park)

Permanent Real Estate Index No.: 18-04-200-044

as set forth by plat of survey attached hereto

Present Zoning Classification: OS Open Space

PROPOSED SPECIAL USE: The use of skate park and a performance shelter at Gordon Park

(Specify from list of allowable Special Uses pursuant to the Zoning Ordinance of the Village of La Grange)

GENERAL STANDARDS: The petitioner should state FACTS AND REASONS and submit any pertinent evidence establishing each of the following principles:

- (a) **Code and Plan Purposes.** The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the Official Comprehensive Plan.

The current use of the property is OS and is currently a park. The new park plan remains in harmony with the area but does improve the park immensely. Two items that are part of the new park plan is a performance shelter & skate park which will need special use approval. The location of these two improvements only enhances the project and does not go against the intent of the comprehensive plan.

- (b) **No Undue Adverse Impact.** The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

The existing use of the property has been the same use for over thirty years. The new park plan only improves the current design. The design does not impact the adjacent property, change the character of the area or impact the public health, safety or general welfare. In fact, the new design adds areas of access to the site via new path locations from Ogden Ave sidewalks and two areas for autos to drop off people for direct access to the site. The new drainage system will also improve flooding at the park.

3,84

- (c) No Interference with Surrounding Development. The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.

In the past, the existing park did not dominate the immediate vicinity or interfere with the use and development of neighboring property. The new plan submitted improves the park but again does not change the park to dominate the immediate vicinity or interfere with the use and development of neighboring property. Improvements have been added to work in harmony with the area.

- (d) Adequate Public Facilities. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.

The proposed use and development will be served adequately by essential public facilities. Access to the site is located at two 10 ft paths at the north and south ends of the park. Also, at the request of the police department, the Owner is considering the use of a remote camera for security at the building/splash pad areas.

- (e) No Traffic Congestion. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets.

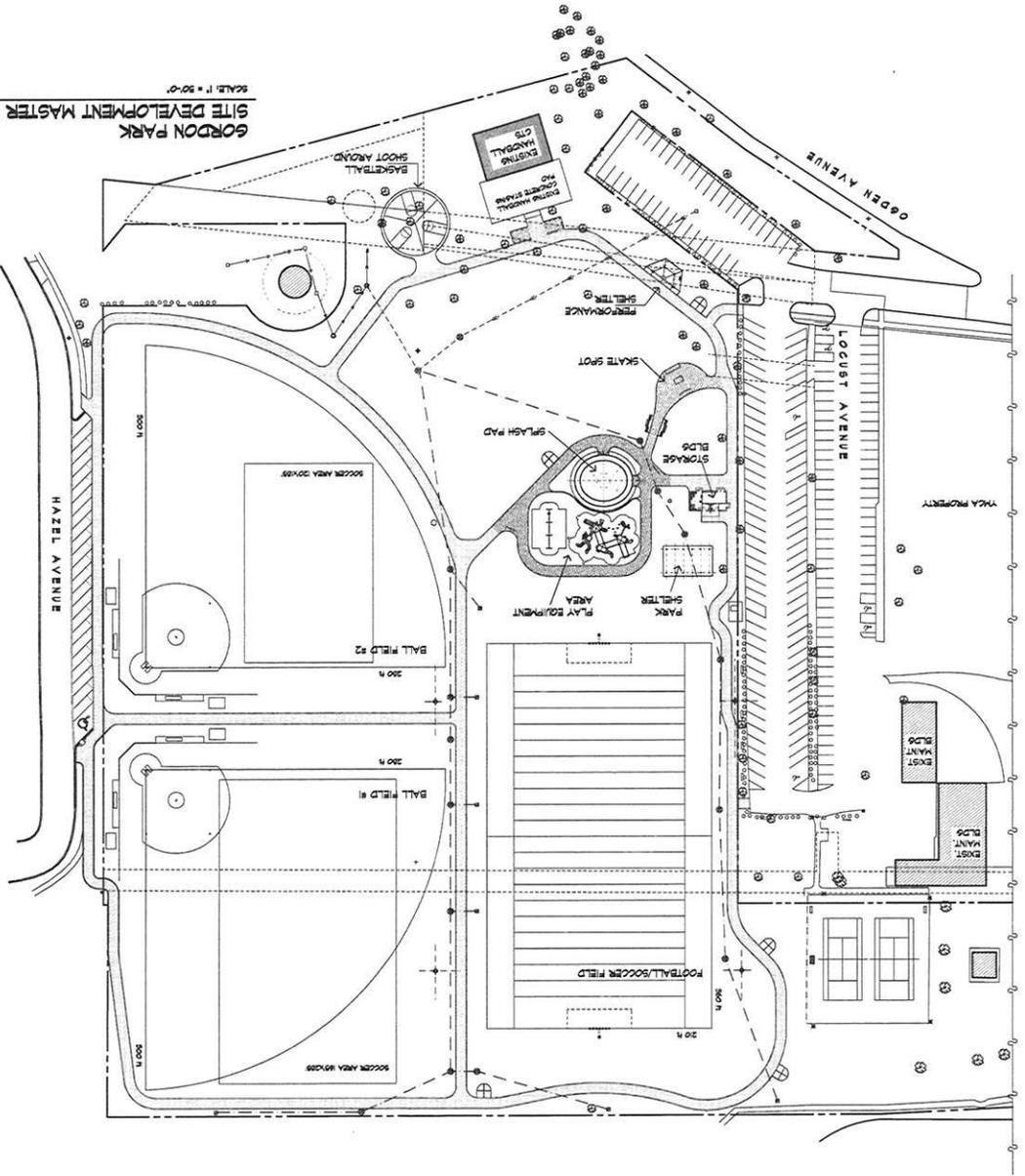
The current and new designs of Gordon Park does not cause undue traffic congestion nor draw significant amounts of traffic through residential streets. The new designs actually provide a new path from the Ogden Ave sidewalk and two drop off areas to improve the access to the site.

- (f) No Destruction of Significant Features. The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

The new park plan will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance. But it does improve on the design of the existing park both with above grade improvements and a new storm drainage system.

- (g) Compliance with Standards. The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use.

The existing park and the new plan submitted complies with all the village standards except in two areas. The Park District is asking for a special use permit so that Gordon Park can have a performance shelter and a skate park.



GORDON PARK
SITE DEVELOPMENT MASTER PLAN

SCALE: 1" = 50'-0"



SHEET
SD-2a
OF 01

DATE: 02-08-13
JOB NO. 21001
DRAWN BY: EB

NEW SITE DEVELOPMENT MASTER PLAN
DEVELOP GORDON PARK PHASE I FOR
THE PARK DISTRICT OF LA GRANGE
NE BARNSHAW OF GORDON & LA GRANGE FD2



architects
CODY/BRAUN & ASSOCIATES, INC.
1820 MANLY ROAD • BOLON, INDIANAPOLIS, IN 46204 • 650-777-1888

planners

CONTRACT NO. 21001
DATE: 02-08-13

21001 Phase I Plan

REVISIONS

3.86

19.6
3.9.6

EQUIPMENT LIST FOR AREAS SHOWN									
Pole				Luminaires					
QTY	LOCATION	SIZE	GRADE ELEVATION	MOUNTING HEIGHT	LAMP TYPE	QTY / POLE	THIS GRID	OTHER GRIDS	
2	S1-S2	80'	-	80'	1500W MZ	9	9	0	
2	S3-S4	80'	-	80'	1500W MZ	10	10	0	
TOTALS						38	38	0	



MY PROJECT	
Name:	Gordon Park Phase 1
Location:	LaGrange, IL

GRID SUMMARY	
Name:	Blanket Grid to 0.0fc
Spacing:	30' x 30'
Height:	3.0' above grade

CONSTANT ILLUMINATION	
SUMMARY	HORIZONTAL FOOTCANDLES
Entire Grid	
Scan Average:	6.9
Maximum:	61
Minimum:	0
Avg / Min:	1060.94
Max / Min:	9470.96
UG (adjacent pts):	8.71
CV:	2.13
No. of Points:	696
LUMINAIRE INFORMATION	
Luminaire Type:	Green Generation
Rated Lamp Life:	5,000 hours
Avg Lumens / Lamp:	134,000
Avg Lamp Tilt Factor:	1.000
No. of Luminaires:	38
Avg KW:	59.43 (64.6 max)

Guaranteed Performance: The CONSTANT ILLUMINATION described above is guaranteed for the rated life of the lamp.

Field Measurements: Illumination measured in accordance with IESNA LM-5-04 and CIBSE LG4. Individual values may vary. See the Warranty document for details.

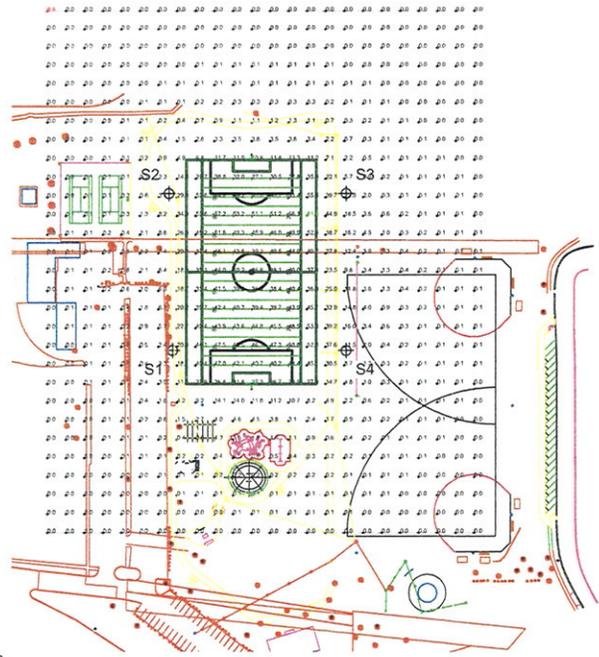
Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume +/- 3% nominal voltage at line side of the ballast and structures located within 3 feet (1m) of design locations.

ENGINEERED DESIGN		
By:	Treana Drost	
File # / Date:	136750Ar3	24-Jan-13

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ILLUMINATION SUMMARY



Pole location(s) + dimensions are relative to 0.0 reference point(s)

**RECOGNITION OF CITIZEN
VOLUNTEERS**

Introduction: Police Chief Michael Holub

BOARD OF FIRE AND POLICE COMMISSIONERS

(3-year term, 3 members)

In accordance with state statute, the Board of Fire and Police Commissioners (BOFPC) oversees certain personnel matters within the Fire and Police Departments. More specifically, they are responsible for the initial appointment of all full-time firefighters/paramedics and police officers, they make promotional appointments, and they administer disciplinary action.

For the Fire Department this past year, the BOFPC hired one new firefighter/paramedic to fill a vacancy due to a resignation within the Fire Department.

For the Police Department, a new Police Sergeant Eligibility Register and a new Patrol Officer Eligibility Register were created to replace the expired lists. The BOFPC hired two Patrol Officers to fill vacancies due to resignations in the Police Department.

The BOFPC is in the process of developing a new Police Lieutenant Promotional Eligibility Register to replace the list that expired in November 2012.

The Board of Fire and Police Commissioners recently approved a comprehensive amendment to their Rules and Regulations to reflect the Firefighters Hiring Act and other housekeeping items.

Paul Kerpan	—	04/08/13 appointment
Kathy Schwappach	—	3 years
Mark A. Lies, II	—	14 years, and current chair of the commission

Introduction: Trustee Bill Holder

COMMUNITY & ECONOMIC DEVELOPMENT COMMISSION

(3-year term, 9 members)

The Community and Economic Development Commission (CEDC) considers and makes recommendations to the Village Board regarding economic development issues and matters related to the relationships between our residential neighborhoods and commercial business districts.

The CEDC has considered and offered recommendations relating to the renovation of the La Grange Theater, and residential and business concerns in our West End corridor.

Due to the slow development climate, the CEDC has been less active in recent years. With an improving economy, we hope this will change soon.

David Schwartz	—	2 years
Rebecca Wimbush	—	2 years
Richard Holly	—	4 years
Margaret Carlson	—	6 years
Mark Reich	—	6 years
Elizabeth Stiles	—	6 years
Lester Williams	—	6 years
Steve Palmer	—	13 years

Introduction: Trustee Mark Kuchler

DESIGN REVIEW COMMISSION

(3-year term, 7 members)

The Design Review Commission (DRC) reviews matters related to the Central Business District Facade Renovation/Restoration program; reviews and offers recommendations to the Village Board on Design Review applications within the Design Overlay District (which generally encompasses the Central Business District along La Grange Road, Hillgrove and Burlington Avenues); and reviews appeals denying sign permits. The Design Review Commission has also developed a draft public art policy and guidelines in preparation for a proposed establishment of a Public Art Commission.

Troy Pavelka	—	3 years
Michael Thuma	—	4 years
Carol Vizek	—	4 years
Tim Reardon	—	6 years
Mark Ozer	—	11 years
Andrea Barnish	—	21 years, and current chair of the commission
Regina McClinton	—	22 years

Introduction: Trustee Mike Horvath

ENVIRONMENTAL QUALITY CONTROL COMMISSION

(2-year term, 7 members)

In the past year, the Environmental Quality Control Commission (EQCC) has become increasingly active with the heightened public awareness of environmental issues and “green” initiatives. The Commission has considered and offered recommendations relating to the following evolving topics: Emerald Ash Borer, Energy Star Benchmarking Program, quarry blasting, recycling/refuse disposal, and the HVAC improvement project funded primarily by energy efficiency grants.

In recent years, the EQCC was involved in evaluating various refuse collection and disposal program options in anticipation of the Village’s waste contract renewal which was approved in April 2012. The process involved numerous meetings and discussions regarding various types of service delivery options, recycling and industry trends. The EQCC has also advised the Village on various matters including a new state program “Energy Impact Illinois” web tool, Cook County Solid Waste Energy Plan, quarry blasting activities and the Emerald Ash Borer.

Rebecca Davies	—	1/28/13 appointment
Linda Christianson	—	4 years
F. Peter Gabrek	—	14 years
Richard Battistoni	—	23 years
Glenn Wentink	—	25 years, and current chair of the commission
Patty Weber	—	33 years
Harlan Hirt	—	39 years

Introduction: Trustees Mark Langan and Jeff Nowak

PLAN COMMISSION

(3-year term, 7 members)

The Plan Commission reviews and recommends applications for special use permits, planned development approval, site plan approval, amendments to the Zoning Code and official map, vacation of public rights-of-way, and subdivision plats.

During this last fiscal year, the Plan Commission conducted public hearings and considered issues related to amendments to the Zoning Code regarding extensions of special use permits related to Meadowbrook Manor, special use permit and site plan approval for an addition to an existing day care facility; amendments to the Code to consider swimming pools as lot coverage and not building coverage; vacation of right-of-way and small planned development for development of 6-unit residential buildings; and continued discussion of special use permit for improvements of Gordon Park.

The Plan Commission continues to review the remaining sections of the Zoning Code to complete a comprehensive update of the Code.

Jay Stewart	—	2 years
Nancy Pierson	—	3 years
Greg Paice	—	5 years
Laura Weyrauch	—	6 years
Tom Williams	—	6 years
Jerry Reich	—	13 years
Wayne Kardatzke	—	18 years, and current chair of the commission

Introduction: Trustee Jim Palermo

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ZONING BOARD OF APPEALS

(5-year term, 7 members)

The Zoning Board of Appeals (ZBA) reviews applications for relief from one or more requirements of the Village's Zoning Code, conducts public hearings and makes recommendations to the Board of Trustees regarding those applications for zoning variations. Typical requests for zoning variations relate to front, side and rear yard setbacks for single-family homes; building coverage for single-family homes; building coverage and setbacks for the replacement of detached garages; and the like.

Most recently, the Commission has heard cases involving setback requirements for garages, building coverage for front porches and building coverage for swimming pools.

In Fiscal Year 2012-13, four cases were heard by the ZBA.

Michael Finder	—	3 years
Jeff Hoffenberg	—	3 years
Peter O'Connor	—	4 years
Rosemary Naseef	—	6 years
Ian Brenson	—	7 years
Ellen Brewin	—	19 years, and current chair of the Board
Nat Pappalarado	—	30 years

CITIZEN VOLUNTEERS APPOINTED TO INDIVIDUAL POSITIONS

1. Jim Liotta, Director, Police Auxiliary —

The Village of La Grange is fortunate to be served by an Auxiliary Police Force. These are unpaid public safety officers. They are led by Director Jim Liotta. Jim has been an Auxiliary Police Officer for the Village of La Grange for over 30 years. He has been Director for the past 19 years.

Introduction: Chief Mike Holub

2. Curtis Linder, Trustee, West Suburban Mass Transit District —

The West Suburban Mass Transit District was created in 1970 through a federal endowment to: monitor passenger rail services provided by the Burlington Northern Railroad and METRA; provide financial assistance to member communities to implement commuter-related improvements; and financially support system-wide improvements, such as purchasing passenger rail cars to be used exclusively on the Chicago to Aurora rail line. La Grange is a charter member. As such, the Village appoints a resident to the District's Board of Trustees. The Village's current representative to the District is Curtis Linder, who has served on the Board since 2009.

Introduction: Andri Peterson, Assistant Village Manager

3. Colin Robertson, Firemen's Pension Board and Police Pension Board advisory member.

The Firemen's Pension Board was created according to Illinois State Statute to review pension investment activity, and evaluate disability claims, fitness for duty and other matters of an operational nature. Colin Robertson is the resident member of the 5-member Firemen's Pension Board since September 2011.

In September 2012, Colin was also appointed to the Police Pension Board as the resident member.

Introduction: Fire Chief William Bryzgalski