

ORDINANCE NO. 1877-18

AN ORDINANCE ADOPTING A CERTAIN FOURTH AMENDMENT TO A CERTAIN ANNEXATION AGREEMENT – HDP STONEBRIDGE LLC

WHEREAS, the Board of Education of Lake Zurich Community Unit School District No. 95, Lake County, Illinois, (“School District”), entered into a certain Annexation Agreement dated March 18, 2002 approved by the Village of Hawthorn Woods (“Village”) in Resolution No. 3-18-02-2 recorded as document number 4921552; and

WHEREAS, the School District is the owner of record of certain real estate legally described as set forth in **Exhibit "A-1 "**, attached hereto and incorporated herein, consisting of approximately 33.14 acres ("School District Property"); and

WHEREAS, this amendment does not impact the School District Property and therefore pursuant to Para 3 of the First Amendment, only the written approval of Ryan, the owner of record of land subject to this Fourth Amendment, is required to render this Fourth Amendment effective; and

WHEREAS, HDP Stonebridge LLC, (“Ryan”) is the owner of record of certain real estate legally described as set forth in **Exhibit "A-2 "**, attached hereto and incorporated herein, consisting of approximately 59.2 acres ("Ryan Property"); and

WHEREAS, the School District Property has been developed and is being used by the School District for school purposes; and

WHEREAS, the Ryan Property is to be developed for single-family residential purposes; and

WHEREAS, the School District, Village, and Ryan entered into a certain First Amendment to the Annexation Agreement dated February 25, 2015, approved by the Village in

Ordinance No. 1524-15, recorded as document number 7192818 pertaining to zoning and other matters related only to the Ryan Property (“First Amendment”); and

WHEREAS, the Village and Ryan entered into a certain Second Amendment to the Annexation Agreement dated August 24, 2015, approved by the Village in Ordinance No. 1580-15, pertaining to assignment requirements and approval of home elevations for custom and semi-custom built homes related to the Ryan Property; and

WHEREAS, the Village and Ryan entered into a certain Third Amendment to the Annexation Agreement dated July 18, 2016, approved by the Village in Ordinance No. 1685-16, pertaining to a certain modification to the letter of credit requirements; and

WHEREAS, the Village and Ryan collectively wish to enter into a binding amendment to the Third Amendment (“Fourth Amendment”) with respect to approval of additional architectural house elevations for custom and semi-custom built single-family detached homes on the Ryan Property, pursuant to the authority and provisions of Section 11-15.1-1 *et seq.* of the Illinois Municipal Code, upon the terms and conditions contained in the Fourth Amendment; and

WHEREAS, a Public Hearing was held on said Fourth Amendment on or about August 20, 2018, as required by law, all appropriate notices having been given; and

WHEREAS, all other public hearings required by law to be held have been held; and

WHEREAS, the Mayor and Board of Trustees have considered the terms and provisions of the proposed Fourth Amendment; and

WHEREAS, this Ordinance is passed by a vote of two-thirds of the Corporate Authorities holding office.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Hawthorn Woods, Lake County, Illinois, as follows:

SECTION ONE: That there is hereby adopted a certain Fourth Amendment to a certain Annexation Agreement, in substantially the form heretofore incorporated herein as **Exhibit "B"**, with such changes as are approved by the Village Attorney and the Mayor, by and on behalf of the Village of Hawthorn Woods.

SECTION TWO: That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, superseded by this ordinance.

SECTION THREE: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

The foregoing Ordinance was passed by a roll call vote as follows:

AYES: Bosik, Pless, Corrigan, DiMaggio, Mancino

NAYS: 0

ABSTENTIONS: 0

ABSENT: Kaiser, David

APPROVED: Joseph Mancino
Joseph Mancino, Mayor

ATTEST: Donna Lobaito
Donna Lobaito, Village Clerk

PASSED: Aug. 20, 2018

APPROVED: Aug. 20, 2018

EXHIBIT "A-1"
SCHOOL DISTRICT PROPERTY LEGAL DESCRIPTION

LEGAL DESCRIPTION

THAT PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 (EXCEPT THEREFROM THE SOUTH 970.0 FEET THEREOF) AND PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING AT A POINT ON THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 8, 39.4 FEET SOUTH OF THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH ALONG AFORESAID WEST LINE OF THE NORTHEAST 1/4 OF SECTION 8, 1647.7 FEET TO A POINT 970 FEET NORTH OF THE SOUTH LINE OF SAID NORTHEAST 1/4; THENCE EAST ALONG A LINE 970.0 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 8, 895.5 FEET TO A POINT 580 FEET WEST OF THE EAST LINE OF THE WEST 1/8 OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 8; THENCE NORTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 69 DEGREES 40 MINUTES WITH THE LAST DESCRIBED COURSE EXTENDED (MEASURED FROM EAST TO NORTH) FOR A DISTANCE OF 857.0 FEET TO A POINT IN THE CENTER OF THE PUBLIC HIGHWAY DESIGNATED AS STATE AID ROUTE 32, (PLAT OF SAID HIGHWAY BEING RECORDED UNDER DOCUMENT 524177 IN SAID COUNTY); THENCE NORTHWESTERLY ALONG THE CENTER LINE OF SAID PUBLIC HIGHWAY, 1473.5 FEET TO THE POINT OF BEGINNING, LYING NORTH OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE NORTHWEST CORNER OF SAID EAST 1/2 OF THE NORTHWEST 1/4, SAID CORNER ALSO BEING A CORNER IN LAKEWOOD ESTATES OF HAWTHORN WOODS PHASE II RECORDED AS DOCUMENT NO. 2899205; THENCE SOUTH 00 DEGREES 15 MINUTES 42 SECONDS EAST ALONG THE WEST LINE OF SAID EAST 1/2 OF THE NORTHWEST 1/4, SAID WEST LINE ALSO BEING AN EAST LINE OF SAID LAKEWOOD ESTATES OF HAWTHORN WOODS PHASE II, 773.82 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 88 DEGREES 44 MINUTES 50 SECONDS EAST, 156.86 FEET;
THENCE SOUTH 86 DEGREES 30 MINUTES 18 SECONDS EAST, 85.08 FEET;
THENCE NORTH 85 DEGREES 51 MINUTES 56 SECONDS EAST, 101.85 FEET;
THENCE SOUTH 86 DEGREES 25 MINUTES 39 SECONDS EAST, 112.34 FEET;
THENCE NORTH 86 DEGREES 53 MINUTES 40 SECONDS EAST, 84.95 FEET;
THENCE SOUTH 89 DEGREES 43 MINUTES 32 SECONDS EAST, 72.85 FEET;
THENCE NORTH 86 DEGREES 10 MINUTES 58 SECONDS EAST, 63.22 FEET;
THENCE SOUTH 77 DEGREES 15 MINUTES 31 SECONDS EAST, 39.42 FEET;
THENCE SOUTH 53 DEGREES 35 MINUTES 59 SECONDS EAST, 56.31 FEET;
THENCE SOUTH 57 DEGREES 57 MINUTES 47 SECONDS EAST, 93.17 FEET;
THENCE SOUTH 69 DEGREES 42 MINUTES 34 SECONDS EAST, 57.31 FEET;
THENCE SOUTH 89 DEGREES 52 MINUTES 35 SECONDS EAST, 59.82 FEET;
THENCE NORTH 74 DEGREES 50 MINUTES 11 SECONDS EAST, 114.83 FEET;

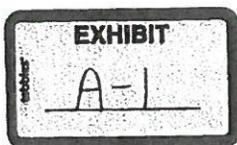


EXHIBIT "A-2"

RYAN PROPERTY LEGAL DESCRIPTION

PARCEL 1: THAT PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (EXCEPT THEREFROM THE SOUTH 970.0 FEET THEREOF), PART OF THE EAST HALF OF THE NORTHWEST QUARTER (EXCEPT THEREFROM THE SOUTH 970.0 FEET THEREOF) AND PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS, TO WIT; COMMENCING AT A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 8, 39.40 FEET SOUTH OF THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH ALONG AFORESAID WEST LINE OF THE NORTHEAST QUARTER OF SECTION 8, 1647.70 FEET TO A POINT 970 FEET NORTH OF THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE EAST ALONG A LINE 970.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 8, 895.50 FEET TO A POINT 580 FEET WEST OF THE EAST LINE OF THE WEST 1/8 OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 8; THENCE NORTH EASTERLY ALONG A LINE FORMING AN ANGLE OF 69 DEGREES 40 MINUTES WITH THE LAST DESCRIBED COURSE EXTENDED (MEASURED FROM EAST TO NORTH) FOR A DISTANCE OF 857.00 FEET TO A POINT IN THE CENTER OF THE PUBLIC HIGHWAY DESIGNATED AS STATE AID ROUTE 32, (PLAT OF SAID HIGHWAY BEING RECORDED UNDER DOCUMENT 524177 IN SAID COUNTY); THENCE NORTHWESTERLY ALONG THE CENTERLINE OF SAID PUBLIC HIGHWAY, 1473.5 FEET TO THE POINT OF BEGINNING, LYING SOUTH OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE NORTHWEST CORNER OF SAID EAST HALF OF THE NORTHWEST QUARTER, SAID CORNER ALSO BEING A CORNER IN LAKEWOOD ESTATES OF HAWTHORN WOODS PHASE II RECORDED AS DOCUMENT NO. 2899205; THENCE SOUTH 00 DEGREES 15 MINUTES 42 SECONDS EAST ALONG THE WEST LINE OF SAID EAST HALF OF THE NORTHWEST QUARTER, SAID WEST LINE ALSO BEING AN EAST LINE OF SAID LAKEWOOD ESTATES OF HAWTHORN WOODS PHASE II, 773.82 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 44 MINUTES 50 SECONDS EAST, 156.86 FEET; THENCE SOUTH 86 DEGREES 30 MINUTES 18 SECONDS EAST, 85.08 FEET; THENCE NORTH 85 DEGREES 51 MINUTES 56 SECONDS EAST, 101.85 FEET; THENCE SOUTH 86 DEGREES 25 MINUTES 39 SECONDS EAST, 112.34 FEET; THENCE NORTH 86 DEGREES 53 MINUTES 40 SECONDS EAST, 84.95 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 32 SECONDS EAST, 72.85 FEET; THENCE NORTH 86 DEGREES 10 MINUTES 58 SECONDS EAST, 63.22 FEET; THENCE SOUTH 77 DEGREES 15 MINUTES 31 SECONDS EAST, 39.42 FEET; THENCE SOUTH 53 DEGREES 35 MINUTES 59 SECONDS EAST, 56.31 FEET; THENCE SOUTH 57 DEGREES 57 MINUTES 47 SECONDS EAST, 93.17 FEET; THENCE SOUTH 69 DEGREES 42 MINUTES 34 SECONDS EAST, 57.31 FEET; THENCE SOUTH 89 DEGREES 52 MINUTES 35 SECONDS EAST, 59.82 FEET; THENCE NORTH 74 DEGREES 50 MINUTES 11 SECONDS EAST, 114.83 FEET; THENCE NORTH 68 DEGREES 09 MINUTES 21 SECONDS EAST, 134.59 FEET; THENCE NORTH 57 DEGREES 19 MINUTES 51 SECONDS EAST, 54.00 FEET; THENCE

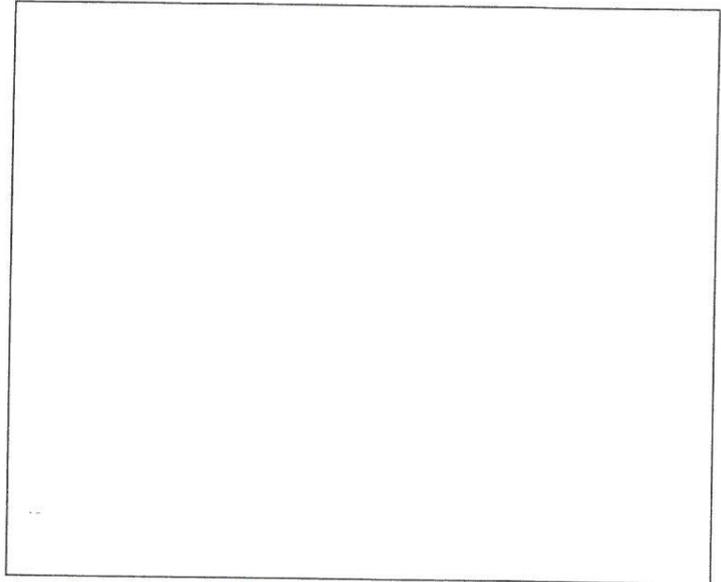
NORTH 82 DEGREES 04 MINUTES 01 SECONDS EAST, 85.93 FEET; THENCE NORTH 84 DEGREES 34 MINUTES 51 SECONDS EAST, 124.04 FEET; THENCE NORTH 88 DEGREES 11 MINUTES 20 SECONDS EAST, 65.91 FEET; THENCE SOUTH 64 DEGREES 25 MINUTES 56 SECONDS EAST, 32.84 FEET; THENCE NORTH 86 DEGREES 47 MINUTES 30 SECONDS EAST, 53.60 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 34 SECONDS EAST, 201.66 FEET; THENCE NORTH 71 DEGREES 07 MINUTES 47 SECONDS EAST, 46.15 FEET; THENCE SOUTH 85 DEGREES 34 MINUTES 49 SECONDS EAST, 84.54 FEET; THENCE SOUTH 64 DEGREES 14 MINUTES 14 SECONDS EAST, 77.97 FEET; THENCE SOUTH 79 DEGREES 47 MINUTES 07 SECONDS EAST, 85.23 FEET; THENCE NORTH 79 DEGREES 03 MINUTES 23 SECONDS EAST, 56.79 FEET; THENCE NORTH 77 DEGREES 05 MINUTES 50 SECONDS EAST, 47.79 FEET; THENCE NORTH 69 DEGREES 38 MINUTES 07 SECONDS EAST, 97.46 FEET TO THE WESTERLY LINE OF SAID PUBLIC HIGHWAY; THENCE NORTH 37 DEGREES 03 MINUTES 27 SECONDS EAST, 40.00 FEET TO THE TERMINUS OF SAID LINE, EXCEPT THAT PART OF OLD MCHENRY ROAD PER DOCUMENT 4963521, IN LAKE COUNTY, ILLINOIS.

PARCEL 2: NON-EXCLUSIVE, PERPETUAL EASEMENTS FOR THE BENEFIT OF PARCEL 1 AS GRANTED IN THE DECLARATION OF EASEMENTS BY THE BOARD OF EDUCATION OF COMMUNITY UNIT SCHOOL DISTRICT 95, LAKE COUNTY, ILLINOIS, RECORDED FEBRUARY 16, 2007 AS DOCUMENT 6139625, FOR AN ACCESS AND PUBLIC UTILITIES EASEMENT, UTILITY EASEMENT, PEDESTRIAN ACCESS EASEMENT, WETLANDS ACCESS AND MAINTENANCE EASEMENT, AND A TEMPORARY CONSTRUCTION EASEMENT OVER PORTIONS OF THE LAND MORE PARTICULARLY DEPICTED ON THE PLAT ATTACHED THERETO, AND THE TERMS, PROVISIONS AND CONDITIONS SET FORTH THEREIN.

EXHIBIT "B"

FOURTH AMENDMENT TO ANNEXATION AGREEMENT

**THIS INSTRUMENT PREPARED
BY AND RETURN TO:**
Thomas R. Burney
Law Office of Thomas R. Burney, LLC
40 Brink Street
Crystal Lake, IL 60014



THE ABOVE SPACE FOR RECORDER'S USE

FOURTH AMENDMENT TO ANNEXATION AGREEMENT

THIS FOURTH AMENDMENT ("Fourth Amendment") to a certain Annexation Agreement made and entered into this 21st day of August, 2018 by and between the **VILLAGE OF HAWTHORN WOODS, an Illinois municipal corporation** located in Lake County, Illinois ("Village") and **HDP STONEBRIDGE LLC** ("Ryan") or its successors or assigns, the owner of record of the Ryan Property as hereinafter defined. (The Village and Ryan are collectively referred to as the "Parties")

WITNESSETH:

WHEREAS, the BOARD OF EDUCATION OF LAKE ZURICH COMMUNITY UNIT SCHOOL DISTRICT NO. 95, Lake County, Illinois ("School District") is the owner of record of certain real estate legally described as set forth in Exhibit "A-1", attached hereto and incorporated herein, consisting of approximately 33.14 acres ("School District Property"); and

WHEREAS, Ryan is the owner of record of certain real estate legally described as set forth in Exhibit "A-2", attached hereto and incorporated herein, consisting of approximately 59.2 acres ("Ryan Property"). (Together the School District Property and the Ryan Property are

collectively referred to as the “Subject Property”); and

WHEREAS, the School District Property, has been developed and is being used by the School District for school purposes, as further described in Article VIII herein; and

WHEREAS, this amendment does not impact the School District Property and therefore pursuant to Paragraph 3 of the First Amendment, only written approval of Ryan, the owner of record of the land subject to this Fourth Amendment, is required to render this Fourth Amendment effective; and

WHEREAS, the Ryan Property is to be developed for single-family residential purposes, incorporating conservation design principles including parkland, and dedicated open space in perpetuity, as further described in Article IX herein; and

WHEREAS, the Subject Property was annexed to the Village by Ordinance No. 979-02 dated May 9, 2002 and recorded as document number 4921553; and

WHEREAS, the School District entered into a certain annexation agreement dated March 18, 2002 approved by the Village in Resolution Number 3-18-02-2 recorded as document number 4921552 pertaining to the School District Property and the Ryan Property (“Annexation Agreement”); and

WHEREAS, the Parties and the School District entered into a certain First Amendment to the Annexation Agreement dated February 25, 2015, approved by the Village in Ordinance No. 1524-15, recorded as document number 7192818 pertaining to zoning and other matters related only to the Ryan Property (“First Amendment”); and

WHEREAS, the Parties entered into a certain Second Amendment to the Annexation Agreement dated August 24, 2015, approved by the Village in Ordinance No. 1580-15, pertaining to assignment requirements and approval of home elevations for custom and semi-custom built homes related to the Ryan Property; and

WHEREAS, the Parties entered into a certain Third Amendment to the Annexation Agreement dated July 18, 2016, approved by the Village in Ordinance No. 1685-16, pertaining to a certain modification to the letter of credit requirements; and

WHEREAS, the parties wish to enter into a binding amendment to the Annexation Agreement Fourth Amendment with respect to approval of additional architectural house elevations for custom and semi-custom built single-family detached homes related to the Ryan Property, pursuant to the authority and provisions of Section 11-15.1-1 *et seq.* of the Illinois Municipal Code, upon the terms and conditions contained in this Fourth Amendment, and all public hearings relating to said matters have been held by the appropriate boards and commissions of the Village, as required by law and pursuant to notices duly given in accordance therewith; and

WHEREAS, pursuant to the above referenced sections of the Illinois Compiled Statutes, a proposed Fourth Amendment in substance and in form the same as this Fourth Amendment was submitted to the Mayor and Board of Trustees of the Village ("Corporate Authorities") and a public hearing was held thereon pursuant to notice, as provided by statute; and

WHEREAS, pursuant to Section 10 of Article VII of the Illinois Constitution of 1970 and the provisions of the Intergovernmental Cooperation Act (5 ILCS 220/1, *et seq.*) and other applicable authority, the parties are authorized to enter into this Fourth Amendment; and

WHEREAS, the Corporate Authorities, after due and careful consideration, have concluded that the development of the Ryan Property on the terms and conditions herein set forth would further the growth of the Village, increase the taxable value of property within Village, and otherwise promote the proper growth and general welfare while serving the best interests of the Village; and

WHEREAS, by a favorable vote of at least two-thirds (2/3) of the Corporate Authorities of the Village then holding office, an ordinance has heretofore been adopted authorizing the execution of this Fourth Amendment.

NOW, THEREFORE, for and in consideration of the mutual covenants, promises and agreements hereinafter set forth, THE PARTIES HERETO AGREE AS FOLLOWS:

ARTICLE I
INCORPORATION OF
RECITALS

The parties confirm and admit the truth and validity of the representations and recitations set forth in the foregoing recitals. The parties further acknowledge that the same are material to this Agreement and are hereby incorporated into this Agreement as though they were fully set forth in this Article I.

A. **Effect of Fourth Amendment.** From and after the Effective Date of this Fourth Amendment, all references in the Original Annexation Agreement, the First Amendment, the Second Amendment, and the Third Amendment, or this Fourth Amendment to the “*Agreement*”, the “*Annexation Agreement*” or the “*Amended Annexation Agreement*” shall mean and refer to the Original Annexation Agreement, as amended and modified by the First Amendment, the Second Amendment, the Third Amendment, and this Fourth Amendment. Except as amended or modified by the provisions of this Fourth Amendment, the Parties hereby ratify the Original Annexation Agreement, as amended by the First Amendment, the Second Amendment, and the Third Amendment, and confirm that the Agreement remains in full force and effect, enforceable in accordance with its terms.

B. **Conflicts.** In the event of a conflict or inconsistency between the terms of the Original Annexation Agreement, the First Amendment, the Second Amendment, or the Third Amendment, on the one hand, and the terms of this Fourth Amendment, on the other hand, the latter shall supersede and control. In the event of a conflict or inconsistency between the body of this Fourth Amendment and the contents or provisions of any exhibit to this Fourth Amendment, the latter shall supersede and control.

ARTICLE II
DEVELOPMENT OF THE RYAN PROPERTY

The parties agree that the Ryan Property shall be used solely for single-family residences or parkland or dedicated open space in accordance with the Village Code as such terms are amended by the First Amendment. Additionally, the following provisions shall apply to the Ryan Property:

1. **Additional Architectural Home Elevations.** Subject to the Village Board’s approval, Ryan shall be permitted to construct on the Ryan Property, on individual residential

2700 Patriot Blvd. Suite 430
Glenview, IL. 60026

If to HDP STONEBRIDGE LLC.

John Rusin
William Ryan Homes
2700 Patriot Blvd. Suite 430
Glenview, IL. 60026

With a copy to:

Law Offices of Thomas R. Burney
40 Brink Street
Crystal Lake, IL 60014

To such other person or place which any party hereto, by its prior written notice, shall designate for notice to it or them from the other party hereto.

3. Binding Effect, Term and Amendment. This Fourth Amendment shall be binding upon and inure to the benefit of the parties hereto, successor owners of record of the Ryan Property , their assigns, lessees and upon any successor municipal authority of the Village and successor municipalities for a period of twenty (20) years from the date set forth in the first paragraph of this Fourth Amendment. The term of the Annexation Agreement pertaining to the School District shall expire on March 18, 2022. This Fourth Amendment may be amended pursuant to the procedures set forth in the applicable provisions of the Illinois Municipal Code. Only the written approval of the owner of record of the land subject to the amendment shall be required to render such an amendment effective.

4. Severability. This Fourth Amendment is entered into pursuant to the provisions of 65 ILCS 5/11-15.1-1 *et seq.*, as amended. The Mayor and Board of Trustees of the Village have heretofore conducted a public hearing upon this Fourth Amendment. In the event any part or portion of this Fourth Amendment, or any provision, clause, wording or designation contained within this Fourth Amendment, is held to be invalid by a court of competent jurisdiction, such part, portion, provision, clause, wording or designation shall be deemed to be excised from this Fourth Amendment and the invalidity thereof shall not affect the remaining portions thereof.

ARTICLE XI
EFFECTIVE DATE

This Fourth Amendment shall become effective upon the Village Board's adoption of a Resolution authorizing the Mayor to execute this Fourth Amendment.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and Year above first written.



ATTEST:

Donna Lobaito
Donna Lobaito
Village Clerk

VILLAGE OF HAWTHORN WOODS, an
Illinois Municipal Corporation

By: [Signature]
Its: Mayor

HDP STONEBRIDGE LLC.

By: _____
Its: _____

ATTEST:

Secretary

ARTICLE XI
EFFECTIVE DATE

This Fourth Amendment shall become effective upon the Village Board's adoption of a Resolution authorizing the Mayor to execute this Fourth Amendment.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and Year above first written.

VILLAGE OF HAWTHORN WOODS, an
Illinois Municipal Corporation

By: _____
Its: Mayor

ATTEST:

Donna Lobaito
Village Clerk

HDP STONEBRIDGE LLC.

By: Asor, Humm
Its: _____

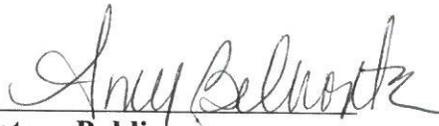
~~ATTEST:~~

~~Secretary~~

STATE OF ILLINOIS)
) SS.
COUNTY OF LAKE)

I, the undersigned, a Notary Public in and for said County , in the State aforesaid, DO HEREBY CERTIFY that Joseph Mancino, Mayor of the Village of Hawthorn Woods, and Donna Lobaito, Village Clerk of said Village, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Mayor and Village Clerk, respectively appeared before me this day in person and acknowledged that they signed and delivered the said instrument, as their own free and voluntary act and as the free and voluntary act of said Village, for the uses and purposes therein set forth; and the said Village Clerk then and there acknowledged that she, as custodian of the corporate seal of said Village, did affix the corporate seal of said Village to said instrument, as her own free and voluntary act and as the free and voluntary act of said Village, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 21st day of August 2018.


Notary Public



STATE OF ILLINOIS)
) SS.
COUNTY OF LAKE)

I, the undersigned, Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that HDP STONEBRIDGE LLC. and Jason Huan personally known to or to be the same persons whose names are subscribed to the foregoing instrument as such President and Secretary respectively appeared before me this day in person and acknowledged that they signed delivered the said instrument, as their own free and voluntary act and as the free and voluntary act of said Corporation, for the uses and purposes therein set forth; and the said Secretary then and there acknowledged that as custodian of the corporate seal of said corporation did affix the corporate seal of said Corporation to said instrument, as his/her own free and voluntary act and as the free and voluntary act of said Corporation, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 21ST day of August 2018.



Mary Maglio
Notary Public

EXHIBIT LIST

A-1 School District Property Legal Description

A-2 Ryan Property Legal Description

B-1 Originally-Approved House Elevations

B-2 Additional House Elevations

EXHIBIT A-1

School District Property Legal Description

LEGAL DESCRIPTION

THAT PART OF THE EAST ¼ OF THE NORTHWEST ¼ (EXCEPT THEREFROM THE SOUTH 970.0 FEET THEREOF) AND PART OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 8, TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING AT A POINT ON THE WEST LINE OF THE NORTHEAST ¼ OF SAID SECTION 8, 39.4 FEET SOUTH OF THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH ALONG AFORESAID WEST LINE OF THE NORTHEAST ¼ OF SECTION 8, 1647.7 FEET TO A POINT 970 FEET NORTH OF THE SOUTH LINE OF SAID NORTHEAST ¼; THENCE EAST ALONG A LINE 970.0 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST ¼ OF SAID SECTION 8, 895.5 FEET TO A POINT 580 FEET WEST OF THE EAST LINE OF THE WEST 1/8 OF THE EAST ½ OF THE NORTHEAST ¼ OF SAID SECTION 8; THENCE NORTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 69 DEGREES 40 MINUTES WITH THE LAST DESCRIBED COURSE EXTENDED (MEASURED FROM EAST TO NORTH) FOR A DISTANCE OF 857.0 FEET TO A POINT IN THE CENTER OF THE PUBLIC HIGHWAY DESIGNATED AS STATE AID ROUTE 32, (PLAT OF SAID HIGHWAY BEING RECORDED UNDER DOCUMENT 524177 IN SAID COUNTY); THENCE NORTHWESTERLY ALONG THE CENTER LINE OF SAID PUBLIC HIGHWAY, 1473.5 FEET TO THE POINT OF BEGINNING, LYING NORTH OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE NORTHWEST CORNER OF SAID EAST ¼ OF THE NORTHWEST ¼, SAID CORNER ALSO BEING A CORNER IN LAKEWOOD ESTATES OF HAWTHORN WOODS PHASE II RECORDED AS DOCUMENT NO. 2899205; THENCE SOUTH 00 DEGREES 15 MINUTES 42 SECONDS EAST ALONG THE WEST LINE OF SAID EAST ¼ OF THE NORTHWEST ¼, SAID WEST LINE ALSO BEING AN EAST LINE OF SAID LAKEWOOD ESTATES OF HAWTHORN WOODS PHASE II, 773.82 FEET TO THE POINT OF BEGINNING;

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THENCE SOUTH 86 DEGREES 25 MINUTES 39 SECONDS EAST, 112.34 FEET;
THENCE NORTH 86 DEGREES 53 MINUTES 40 SECONDS EAST, 84.95 FEET;
THENCE SOUTH 89 DEGREES 43 MINUTES 32 SECONDS EAST, 72.85 FEET;
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THENCE SOUTH 53 DEGREES 35 MINUTES 59 SECONDS EAST, 56.31 FEET;
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THENCE SOUTH 69 DEGREES 42 MINUTES 34 SECONDS EAST, 57.31 FEET;
THENCE SOUTH 89 DEGREES 52 MINUTES 35 SECONDS EAST, 59.82 FEET;
THENCE NORTH 74 DEGREES 50 MINUTES 11 SECONDS EAST, 114.83 FEET;



EXHIBIT A-2

Ryan Property Legal Description

RYAN PROPERTY LEGAL DESCRIPTION

PARCEL 1: THAT PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (EXCEPT THEREFROM THE SOUTH 970.0 FEET THEREOF), PART OF THE EAST HALF OF THE NORTHWEST QUARTER (EXCEPT THEREFROM THE SOUTH 970.0 FEET THEREOF) AND PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS, TO WIT; COMMENCING AT A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 8, 39.40 FEET SOUTH OF THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH ALONG AFORESAID WEST LINE OF THE NORTHEAST QUARTER OF SECTION 8, 1647.70 FEET TO A POINT 970 FEET NORTH OF THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE EAST ALONG A LINE 970.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 8, 895.50 FEET TO A POINT 580 FEET WEST OF THE EAST LINE OF THE WEST 1/8 OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 8; THENCE NORTH EASTERLY ALONG A LINE FORMING AN ANGLE OF 69 DEGREES 40 MINUTES WITH THE LAST DESCRIBED COURSE EXTENDED (MEASURED FROM EAST TO NORTH) FOR A DISTANCE OF 857.00 FEET TO A POINT IN THE CENTER OF THE PUBLIC HIGHWAY DESIGNATED AS STATE AID ROUTE 32, (PLAT OF SAID HIGHWAY BEING RECORDED UNDER DOCUMENT 524177 IN SAID COUNTY); THENCE NORTHWESTERLY ALONG THE CENTERLINE OF SAID PUBLIC HIGHWAY, 1473.5 FEET TO THE POINT OF BEGINNING, LYING SOUTH OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE NORTHWEST CORNER OF SAID EAST HALF OF THE NORTHWEST QUARTER, SAID CORNER ALSO BEING A CORNER IN LAKEWOOD ESTATES OF HAWTHORN WOODS PHASE II RECORDED AS DOCUMENT NO. 2899205; THENCE SOUTH 00 DEGREES 15 MINUTES 42 SECONDS EAST ALONG THE WEST LINE OF SAID EAST HALF OF THE NORTHWEST QUARTER, SAID WEST LINE ALSO BEING AN EAST LINE OF SAID LAKEWOOD ESTATES OF HAWTHORN WOODS PHASE II, 773.82 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 44 MINUTES 50 SECONDS EAST, 156.86 FEET; THENCE SOUTH 86 DEGREES 30 MINUTES 18 SECONDS EAST, 85.08 FEET; THENCE NORTH 85 DEGREES 51 MINUTES 56 SECONDS EAST, 101.85 FEET; THENCE SOUTH 86 DEGREES 25 MINUTES 39 SECONDS EAST, 112.34 FEET; THENCE NORTH 86 DEGREES 53 MINUTES 40 SECONDS EAST, 84.95 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 32 SECONDS EAST, 72.85 FEET; THENCE NORTH 86 DEGREES 10 MINUTES 58 SECONDS EAST, 63.22 FEET; THENCE SOUTH 77 DEGREES 15 MINUTES 31 SECONDS EAST, 39.42 FEET; THENCE SOUTH 53 DEGREES 35 MINUTES 59 SECONDS EAST, 56.31 FEET; THENCE SOUTH 57 DEGREES 57 MINUTES 47 SECONDS EAST, 93.17 FEET; THENCE SOUTH 69 DEGREES 42 MINUTES 34 SECONDS EAST, 57.31 FEET; THENCE SOUTH 89 DEGREES 52 MINUTES 35 SECONDS EAST, 59.82 FEET; THENCE NORTH 74 DEGREES 50 MINUTES 11 SECONDS EAST, 114.83 FEET; THENCE NORTH 68 DEGREES 09 MINUTES 21 SECONDS EAST, 134.59 FEET; THENCE NORTH 57 DEGREES 19 MINUTES 51 SECONDS EAST, 54.00 FEET; THENCE NORTH 82 DEGREES 04 MINUTES 01 SECONDS EAST, 85.93 FEET; THENCE NORTH 84 DEGREES 34 MINUTES 51 SECONDS EAST, 124.04 FEET; THENCE NORTH 88 DEGREES 11 MINUTES 20 SECONDS EAST, 65.91 FEET; THENCE SOUTH 64 DEGREES 25 MINUTES 56 SECONDS EAST, 32.84 FEET; THENCE NORTH 86 DEGREES 47 MINUTES 30 SECONDS EAST, 53.60 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 34 SECONDS EAST, 201.66 FEET; THENCE NORTH 71 DEGREES 07 MINUTES 47 SECONDS EAST, 46.15 FEET; THENCE SOUTH 85 DEGREES 34 MINUTES 49 SECONDS EAST, 84.54 FEET; THENCE SOUTH 64 DEGREES 14 MINUTES 14 SECONDS EAST, 77.97 FEET; THENCE SOUTH 79 DEGREES 47 MINUTES 07 SECONDS EAST, 85.23 FEET; THENCE NORTH 79 DEGREES 03 MINUTES 23 SECONDS EAST, 56.79 FEET; THENCE NORTH 77 DEGREES 05 MINUTES 50 SECONDS EAST, 47.79 FEET; THENCE NORTH 69 DEGREES 38 MINUTES 07 SECONDS EAST, 97.46 FEET TO THE WESTERLY LINE OF SAID PUBLIC HIGHWAY; THENCE NORTH 37 DEGREES 03 MINUTES 27 SECONDS EAST, 40.00 FEET TO THE TERMINUS OF SAID LINE, EXCEPT THAT PART OF OLD MCHENRY ROAD PER DOCUMENT 4963521, IN LAKE COUNTY, ILLINOIS.

PARCEL 2: NON-EXCLUSIVE, PERPETUAL EASEMENTS FOR THE BENEFIT OF PARCEL 1 AS GRANTED IN THE DECLARATION OF EASEMENTS BY THE BOARD OF EDUCATION OF COMMUNITY UNIT SCHOOL DISTRICT 95, LAKE COUNTY, ILLINOIS, RECORDED FEBRUARY 16, 2007 AS DOCUMENT 6139625, FOR AN ACCESS

AND PUBLIC UTILITIES EASEMENT, UTILITY EASEMENT, PEDESTRIAN ACCESS EASEMENT, WETLANDS ACCESS AND MAINTENANCE EASEMENT, AND A TEMPORARY CONSTRUCTION EASEMENT OVER PORTIONS OF THE LAND MORE PARTICULARLY DEPICTED ON THE PLAT ATTACHED THERETO, AND THE TERMS, PROVISIONS AND CONDITIONS SET FORTH THEREIN.

EXHIBIT “B-1”

Originally-Approved House Elevations (per Ordinance 1581-15)

2015
APPROVED
ELEVATIONS

WILLIAM RYAN HOMES
STONEBRIDGE

VILLAGE BOARD SUBMITTAL

ARCHITECTURAL ELEVATIONS & FLOOR PLANS

[click here to go back to the table of contents page](#)

STONEBRIDGE ARCHITECTURE

The Coventry



The Charleston



The Sheridan



The Jericho



The Jamestown



The Jenson



The Jefferson



The Justin



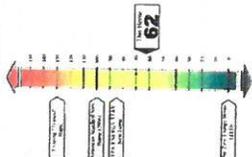


1 THE COVENTRY

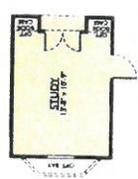
2,200 to 2,322 Square Feet
 To see flexible options for this home, view our interactive floor plans at www.EllimanRealty.com



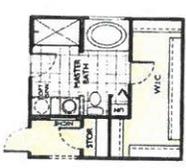
HERS® Index
 The HOME ENERGY RATING SYSTEM
 is rated from 1 to 100. The
 LOWER the BETTER



FLOOR PLAN



OPT. STUDY (10' x 11'6")



OPT. GARDEN MASTER BATH



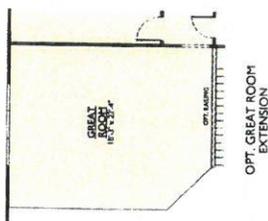
OPT. DESIGNER MASTER BATH



OPT. REAR FIREPLACE



OPT. CORNER FIREPLACE



OPT. GREAT ROOM EXTENSION



Craftsman
 Craftsman
 3 Car Garage

 **STONEBRIDGE**



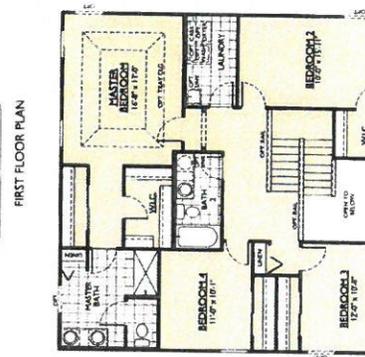
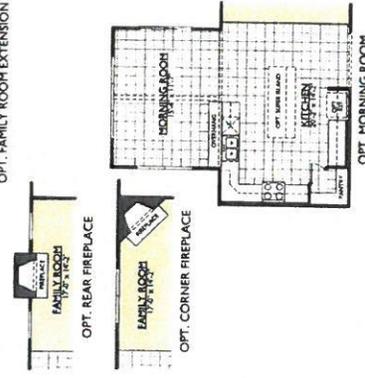
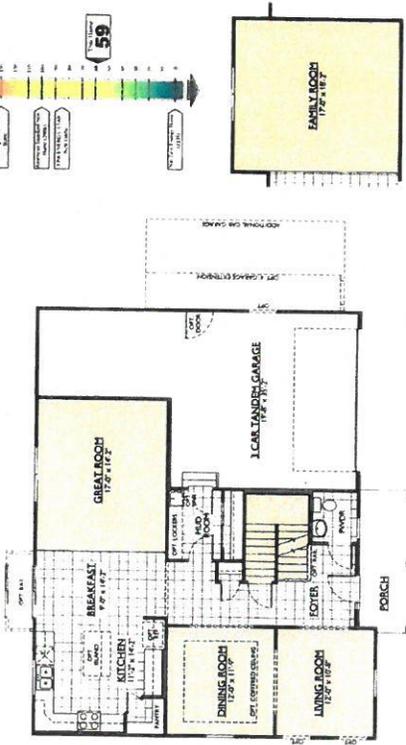
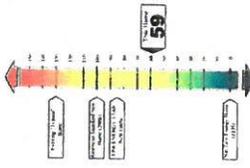
Colonial

THE SHERIDAN

3,500 sq. ft. Square Feet
7.4 m² flexible options for this home, view our interactive floor plan at www.HillmanHomes.com



HERS® Index
The HOME ENERGY RATING SYSTEM is your home's "report card." The LOWER THE BETTER.



OPT. FAMILY ROOM EXTENSION

OPT. REAR FIREPLACE

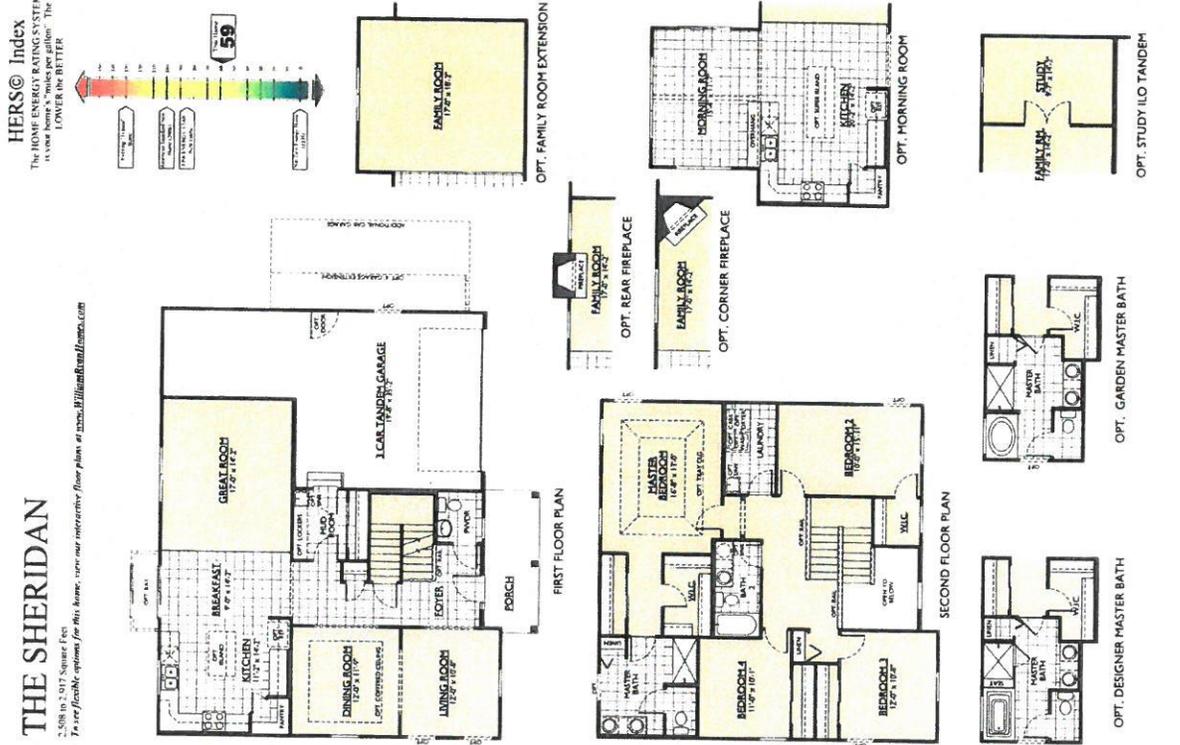
OPT. CORNER FIREPLACE

OPT. MORNING ROOM

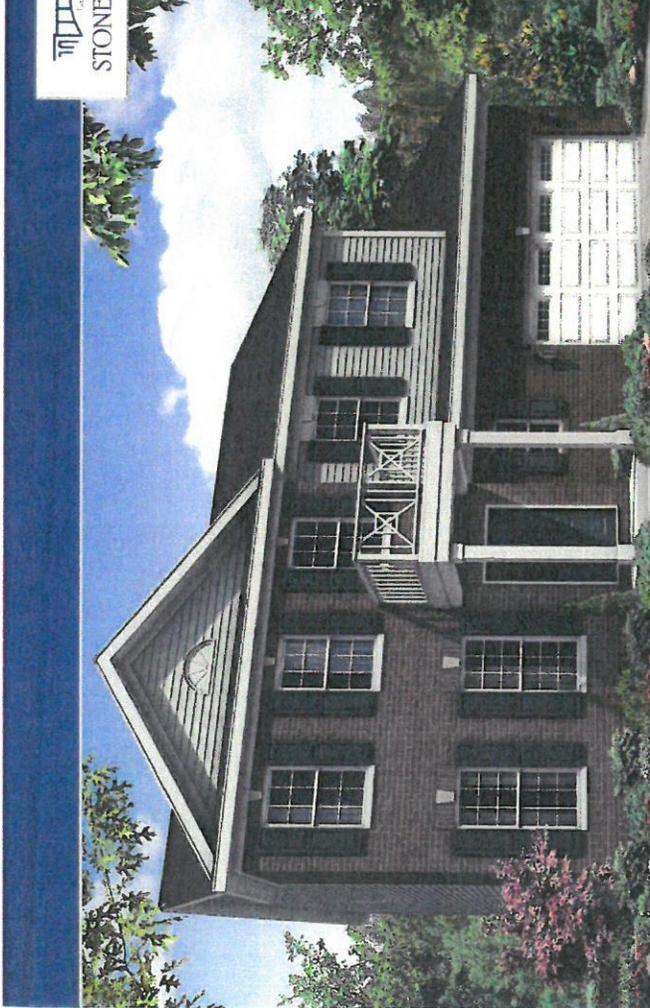
OPT. STUDY / LO TANDEN

OPT. DESIGNER MASTER BATH

OPT. GARDEN MASTER BATH



Craftsman Colonial




STONEBRIDGE



Georgian
Georgian
3 Car Garage



Prairie

THE JERICHO

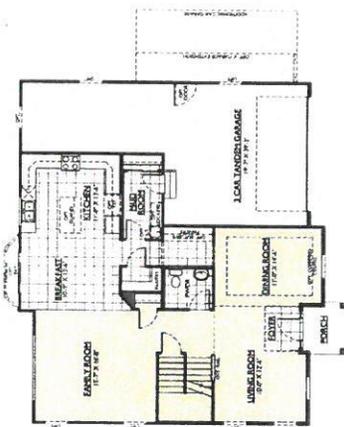
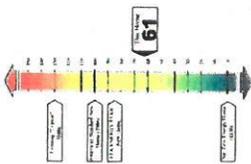
2,935 to 3,613 Square Feet
 For see flexible options for this home, visit our interactive floor plans at www.killamwall.com



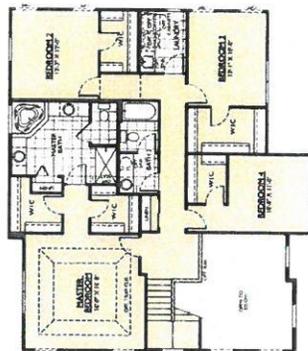
Craftsman
Colonial



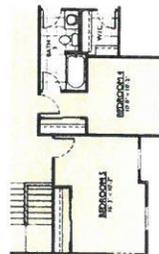
HERS® Index
 THE HOME ENERGY RATING SYSTEM
 is your home's "miles per gallon." The
 LOWER the BETTER.



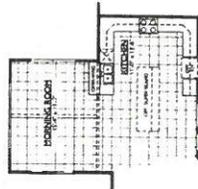
FIRST FLOOR PLAN



SECOND FLOOR PLAN



OPT. ALT. SECOND FLOOR



OPT. PORNING ROOM



OPT. STUDY/LO TANDER



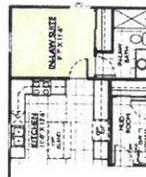
OPT. SIDE FIREPLACE



OPT. CORNER FIREPLACE



OPT. REAR FIREPLACE



OPT. IN LAW SUITE/LO TANDER

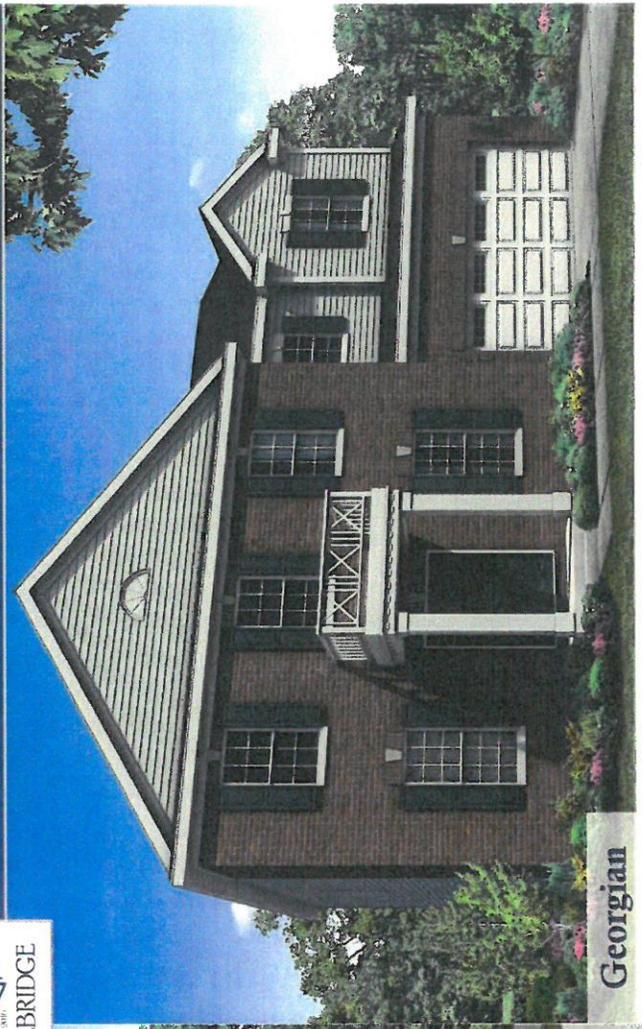


OPT. FAMILY ROOM EXTENSION


STONEBRIDGE



Prairie
3 Car Garage



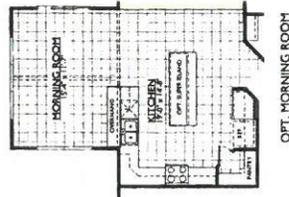
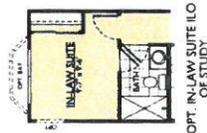
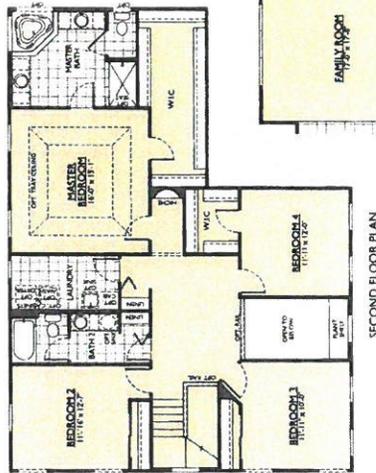
Georgian



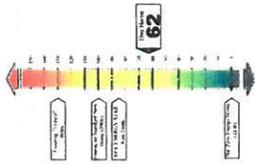
Prairie

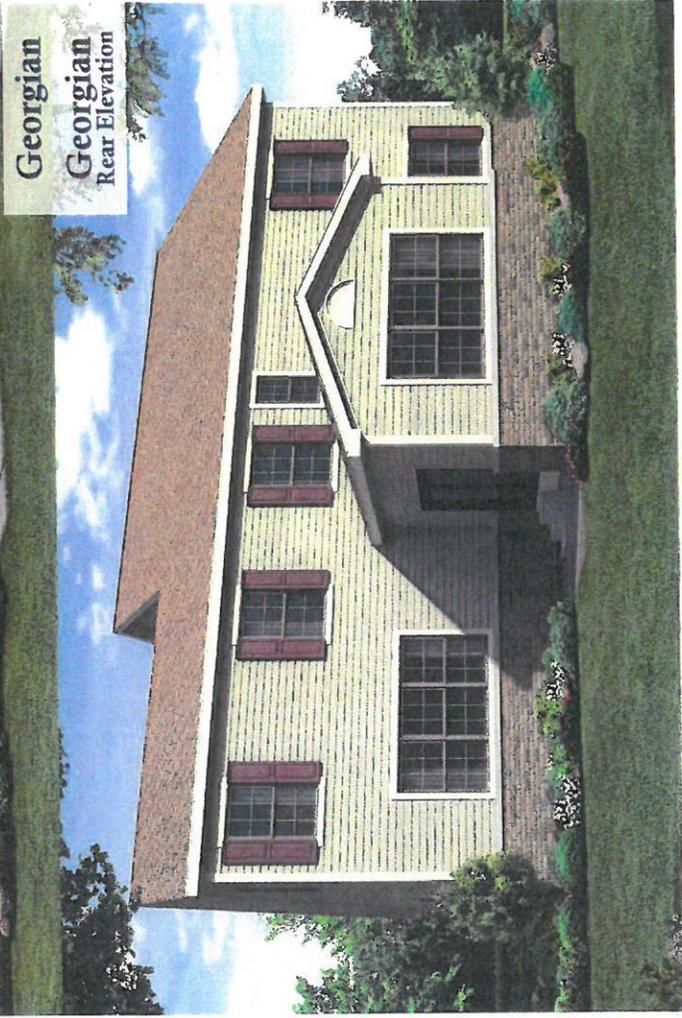
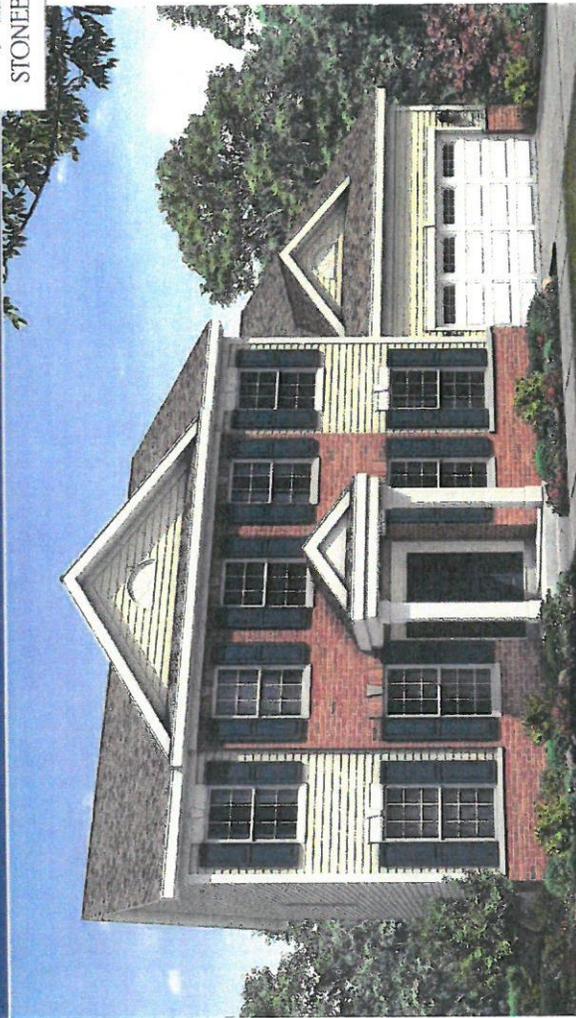
THE JAMESTOWN

1,011 to 1,290 Square Feet
 To see flexible options for this home, view our interactive floor plans at www.kellanhomes.com



HERS® Index
 THE HOME ENERGY RATING SYSTEM
 is your home's "miles per gallon." The
 LOWER the BETTER.



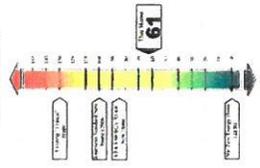


Georgian
Georgian
Rear Elevation



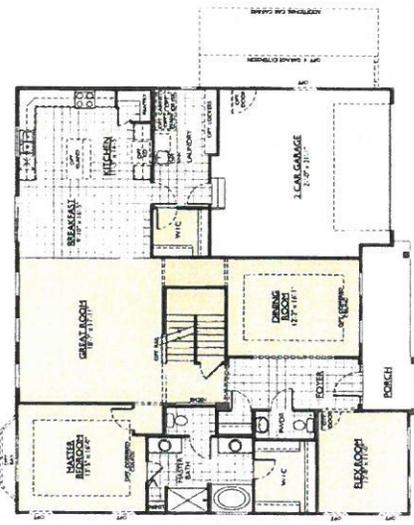
Craftsman Colonial

HERS® Index
 The HERS Index is a numerical rating system that measures a home's energy efficiency. The lower the better.

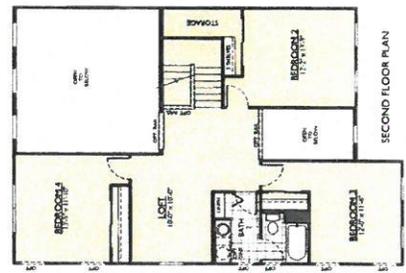


THE JENSEN

1,000 to 1,400 Square Feet
 Three Bedrooms (optional) for this home. View our interpretation of floor plans at www.StoneBridgeHomes.com



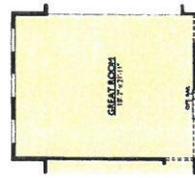
FIRST FLOOR PLAN



SECOND FLOOR PLAN



OPT. BUTLER'S PANTRY



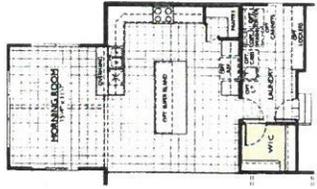
OPT. GREAT ROOM EXTENSION



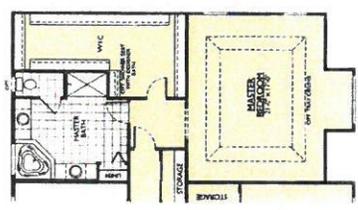
OPT. CORNER FIREPLACE



OPT. REAR FIREPLACE



OPT. MORNING ROOM

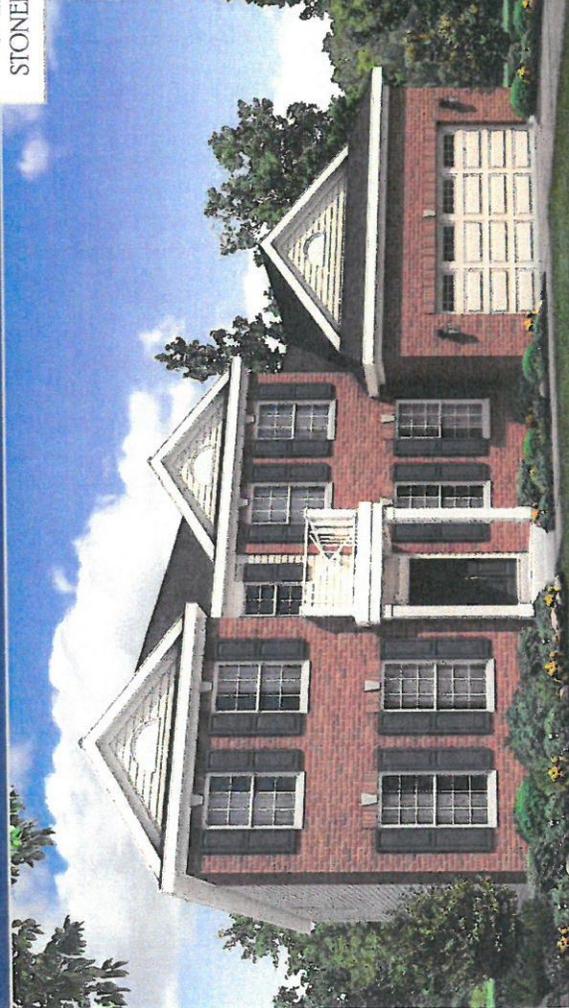


ALT. SECOND FLOOR



BEDROOM 3 WITH BATH

THE
STONEBRIDGE



Georgian
Georgian
3 Car Garage

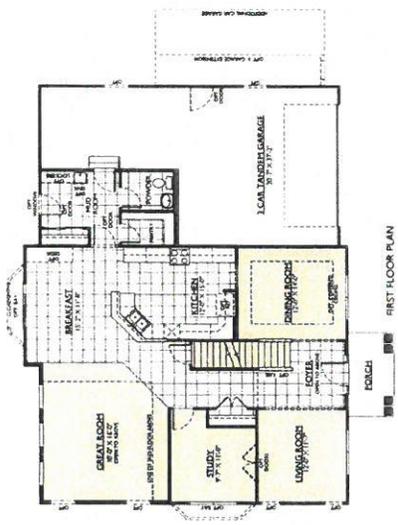


Prairie



THE JEFFERSON

3,294 to 3,012 Square Feet
 For a flexible system for this home, view our interactive floor plan at www.kennedyston.com



FIRST FLOOR PLAN



SECOND FLOOR PLAN



OPT. REAR FIREPLACE



OPT. CORNER FIREPLACE

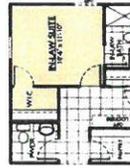
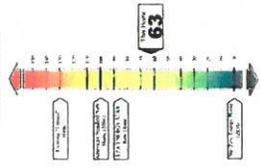


OPT. SIDE FIREPLACE

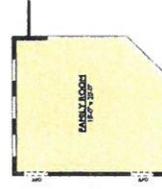


OPT. MORNING ROOM

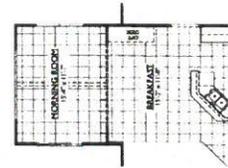
HERS® Index
 THE ENERGY RATING SYSTEM
 is your home's "mile per gallon." The
 LOWER the BETTER.



OPT. IN-LAW SUITE/LO TANDER



OPT. FAMILY ROOM EXTENSION



OPT. MORNING ROOM



Craftsman
 Craftsman
 3 Car Garage





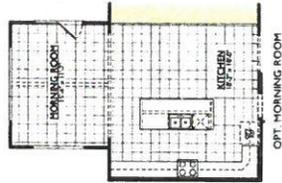
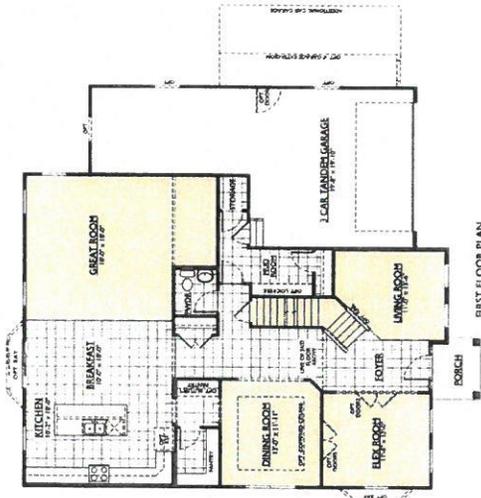
Georgian
Colonial

THE JUSTIN

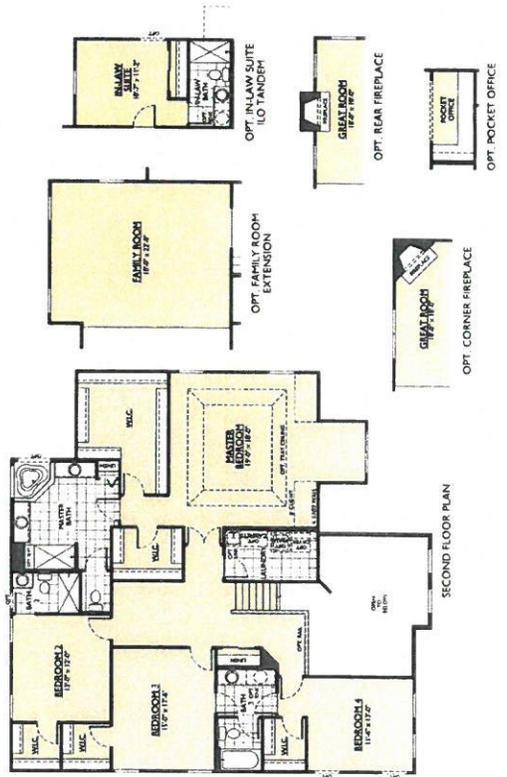
3,785 to 4,385 Square Feet
 To see floor plans for this home, view our interactive floor plan at www.WilliamsRealEstate.com



HERS® Index
 The HOME ENERGY RATING SYSTEM
 1 = BEST
 100 = WORST
 LOWER IS BETTER



OPT. MORNING ROOM



Craftsman
 Georgian



STONEBRIDGE



Colonial
Rear Elevation



Colonial
Colonial
3 Car Garage



EXHIBIT “B-2”

Additional House Elevations

2018
PROPOSED
ELEVATIONS



William Ryan Homes

We Make it Easy

STONEBRIDGE ELEVATIONS

7-13-2018



DRY
LOW-RES PROOF

COVENTRY II - WILLIAMSBURG



KB
DPA
PROOF

COVENTRY II - FARMHOUSE



KBH
DRA
LOW-RES PRODU

COVENTRY II - PRAIRIE



BHI
DRAFTING
LOW-RES. PROOF

COVENTRY II - CRAFTSMAN



SHERIDAN II - WILLIAMSBURG



SHERIDAN II - FARMHOUSE



KBI
W.S.D.
DRAFT
LOW-RES PRE

SHERIDAN II - PRAIRIE



SHERIDAN II - CRAFTSMAN



BH&M
MAKES PROOF

JERICHO II - WILLIAMSBURG



KBHI
LOW-RES. PROOF
DRAFT

JERICHO II - FARMHOUSE



JERICO II - PRAIRIE



KBH
DRAFT
LOW RES

JERICHO II - CRAFTSMAN



KBHI
DRAFT
LOW-RES. PROOF

JENSEN II - WILLIAMSBURG



BHI
DRAPER
LOWEST PRICE

JENSEN II - FARMHOUSE



KBHI
DRAFTER
LOW-RES PROOF

JENSEN II - PRAIRIE



KBH
KING'S PROOF

JENSEN II - CRAFTSMAN



KBHI
RESIDUAL
DRAFT
LOW-RES PROOF

JEFFERSON II - WILLIAMSBURG



KRBI
DRIFT
LOWE'S

JEFFERSON II - FARMHOUSE



JEFFERSON
DRAFT
LOW-RES PROOF

JEFFERSON II - PRAIRIE



KBHI
THE ORIGINAL
DRAFT
LOW-RES PROOF

JEFFERSON II - CRAFTSMAN



CAPE MAY - WILLIAMSBURG



CAPE MAY - FARMHOUSE



CAPE MAY - CRAFTSMAN



KB
DR
LOW-RISE

STRATFORD II - WILLIAMSBURG



BHI
DRAH
LOW-RES. PROOF

STRATFORD II - FARMHOUSE



STRATFORD II - PRAIRIE

DUPRE
LOWEST



STRATFORD II - CRAFTSMAN



SULTON - WILLIAMSBURG



SULTON - FARMHOUSE



SULTON - PRAIRIE



SULTON - CRAFTSMAN



BHI
DRAFT
LOW-RES PHOTO

SAVANNAH - WILLIAMSBURG



SAVANNAH - FARMHOUSE



SAVANNAH - PRAIRIE



KBHI
DRAFT
LOW-RES PROOF

SAVANNAH - CRAFTSMAN