

**VILLAGE OF VERNON HILLS
ORDINANCE 2020-012**

**AN ORDINANCE AMENDING ORDINANCE 2016-045 GRANTING CERTAIN APPROVALS TO
AMEND THE PLAT OF EASEMENT FOR MELLODY FARM SUBDIVISION GENERALLY
LOCATED AT THE INTERSECTION OF MILWAUKEE AVENUE AND TOWNLINE ROAD, IN THE
VILLAGE OF VERNON HILLS, LAKE COUNTY**

WHEREAS, representatives of Regency Center in regard to properties legally described in Exhibit A, has petitioned the Village of Vernon Hills to amend the final plat of easement for the property commonly known as Mellody Farm Shopping Center; and

WHEREAS, Ordinance 2016-045 approved the Mellody Farm plat of subdivision for the property which also included a plat of easement establishing required easements for utilities and ingress/egress; and

WHEREAS, the Petitioner is requesting approval to revise final plat of easement for relocating an access easement. Said easement is used for the purpose of maintaining the restrictor serving the detention pond; and

WHEREAS, Article 20 of the Zoning Ordinance (Planned Unit Developments) Subsection 20.2.5.1 addresses “Insubstantial” changes to a Final Planned Unit Development plat and requires that the final plat shall conform substantially to the approved preliminary plat; and

WHEREAS, Article 20 further provides that the Village Board shall find that any modifications to the Final Planned Unit Development plat does not change the concept or intent of the preliminary plat, increase the density by more than 5%, decrease the amount of common open space, and change by more than 5% the total ground area covered by buildings or structures; and

WHEREAS, the proposed amendments to the plat of easement meets the requirements of Subsection 20.2.5.1 and does not impact the Final Planned Unit Development plat; and

WHEREAS, based upon the evidence deduced, the Village Board finds that the proposed amendment to the final plat of easement is “Insubstantial” as established in Subsection 20.2.5.1 of the Zoning Ordinance and conforms with the requirements referenced therein.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, COUNTY OF LAKE AND STATE OF ILLINOIS:

SECTION I. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, the amendment of the final plat of easement titled, “Mellody Farm Subdivision – Plat of Easement Abrogation and Grant” is hereby approved subject to the conditions listed below:

- a. Final review and approval by the Village Attorney prior to recording with the Lake County Recorder of Deeds.
- b. The conditions as previously approved in Ordinance 2016-045 shall remain in full force and effect.

Said parcel is legally described in Exhibit A.

SECTION II. SEVERABILITY. In the event that any section, clause, provision, or part of this ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect. If any part of this ordinance is found to be invalid in any one or more of its several applications, all valid applications that are severable from the invalid applications shall remain in effect.

SECTION III. REPEAL AND SAVINGS CLAUSE. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions or causes of action which shall have accrued to the Village of Vernon Hills prior to the effective date of this ordinance.

SECTION IV. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

SECTION V. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2020-012.

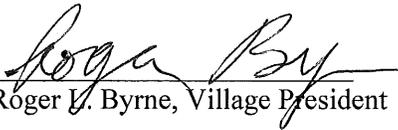
Dated the 21st of January, 2020

Adopted by roll call votes as follows:

AYES: 6 – Oppenheim, Takaoka, Marquardt, Koch, Brown, Byrne

NAYS: 0 - None

ABSENT AND NOT VOTING: 1 – Schultz


Roger V. Byrne, Village President

PASSED: 01/21/2020
APPROVED: 01/21/2020
ATTEST: 01/21/2020

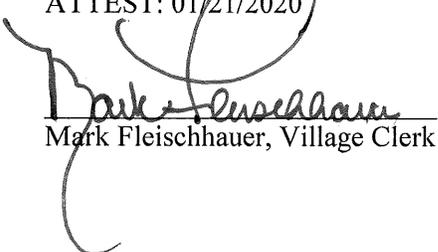

Mark Fleischhauer, Village Clerk



EXHIBIT A

Legal Description

That part of lot 1 and lot 5 in Melody Farm Subdivision being a subdivision of that part of the southeast quarter of section 33 and the southwest quarter of section 34, Township 44 North, Range 11, east of the third principle meridian, according to the plat thereof recorded November 28, 2016, as document number 7350694, except that part dedicated to the Illinois Department of Transportation by document number 743888, in Lake County, Illinois.