



AGENDA

REGULAR VILLAGE BOARD MEETING

September 10, 2019

7:00 PM

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

INVOCATION (REVEREND FRED C. PESEK, QUEEN OF THE ROSARY CHURCH)

3. APPROVAL OF MINUTES OF AUGUST 13, 2019

4. MAYOR & BOARD OF TRUSTEES' REPORT

5. ACCOUNTS PAYABLE WARRANT: AUGUST 31, 2019 \$ 4,221,033.44
SEPTEMBER 10, 2019 \$ 930,426.92

6. CONSENT AGENDA

- a. Consideration of a request from Bethlehem Temple Missionary Baptist Church (1030 Nerge Road) to waive permit fees for parking lot improvements in the amount of \$99.

(It has been past practice of the Village Board to grant fee waivers for governmental and non-profit organizations.

(The Director of Community Development recommends approval.)

- b. Consideration of a request from Sarang Church (301 Ridge Avenue) to waive permit fees for parking lot improvements in the amount of \$150.

(It has been past practice of the Village Board to grant fee waivers for governmental and non-profit organizations.

(The Director of Community Development recommends approval.)

- c. Consideration of a request from the Elk Grove High School Band Association to waive permit fees for a holiday tree and wreath sale commencing on November 29, 2019 at Elk Grove High School (500 W. Elk Grove Boulevard) in the amount of \$200.

(The Elk Grove Band Association utilizes this sale as a fundraiser for the band and orchestra programs at Elk Grove High School.

(It has been past practice of the Village Board to grant fee waivers for governmental and non-profit organizations.

(The Director of Finance recommends approval.)

- d. Consideration of a request from Elk Grove Park District to waive permit fees for a fence replacement project at Fox Run Golf Link (333 Plum Grove Road) in the amount of \$228.

(It has been past practice for the Village Board to grant fee waivers for governmental and non-profit organizations.

(The Director of Community Development recommends approval).

- e. Consideration of a request from Elk Grove Park District to waive permit fees for sidewalk improvements at Udall Park (811 Willow Lane) in the amount of \$329.

(It has been past practice of the Village Board to grant fee waivers for governmental and non-profit organizations.

(The Director of Community Development recommends approval.)

- f. Consideration of a request from Grove Junior High School (777 Elk Grove Blvd.) to waive the FY 2019-20 business license fees in the amount of \$150.

(The Grove Junior High School is respectfully requesting the Business License fee in the amount of \$150 to be waived for a general retail license for a school supply shop and one vending machine that is located at 777 W. Elk Grove Blvd.

(It has been past practice of the Village Board to grant fee waivers for governmental and non-profit organizations.

(The Director of Finance recommends approval.)

- g. Consideration of a request from the Society of St. Vincent de Paul located at 168 Peterson Rd, Libertyville, IL to waive FY 2019-20 business license fees for the placement of a collection box at Queen of the Rosary Church (750 W Elk Grove Blvd) in the amount of \$450.

(It has been past practice of the Village Board to grant fee waivers for governmental and non-profit organizations.

(The Director of Finance recommends approval.)

- h. Consideration of a request from the Rotary Club of Elk Grove Village to waive the fee for a temporary Class D liquor license for the Village's Oktoberfest on September 20 and 21, 2019 in the amount of \$2,100.

(The fee for a Class D Liquor License is \$2,100.

(Rotary Club is running the sale of alcoholic beverages at the Village's Oktoberfest.

(It has been past practice of the Village Board to grant fee waivers for governmental and non-profit organizations.)

- i. Consideration to award a construction contract to the lowest responsive and responsible bidder Prime Construction, Inc. of Hampshire, IL for the 2019 Residential Rear Yard Drainage Improvements project in the amount of \$394,240.00 from the Capital Projects Fund.

(On Thursday, August 29, 2019, the Village opened sealed bids for the Drainage Improvements - 2019 Rear Yards project.

(A total of four (4) contractors obtained bid documents, with one (1) submitting bids on the

project.

(The lowest responsive and responsible bid was received from Prime Construction, Inc. of Hampshire, IL in the amount of \$394,240.00.

(Adequate funds are available in the Capital Projects Fund.

(The Director of Public Works recommends approval.)

- j. Consideration to concur with prior Village Board authorization and award a construction contract to the lowest responsive and responsible bidder Suburban General Construction of LaGrange, IL for the Water Main Improvements - Tanglewood Drive project in the amount of \$776,675.95 from the Water & Sewer Fund.

(On Thursday, August 8, 2019, the Village opened sealed bids for the Clearmont Drive (Carswell Ave to Tonne Rd) Water Main Improvement project.

(The project consists of the upsizing approximately 1,875 linear feet of 8" water main pipe with 12" ductile iron water, 6 new fire hydrants with valves, 12 valves in vaults, the connection of 30 residential water services to the new main, HMA pavement patching, concrete and landscape restoration, and all incidental and collateral work necessary to complete the project.

(A total of ten (10) contractors obtained contract documents, with seven (7) submitting bids.

(The lowest responsive and responsible bid was received from Suburban General Construction of LaGrange Park, IL in the amount of \$776,675.95.

(Adequate funds are available in the Water/Sewer Fund.

(The Director of Public Works recommends approval.)

- k. Consideration to waive formal bidding procedures and award a purchase contract to Core & Main of Carol Stream, IL to furnish and deliver water meters and associated components necessary for an automated metering infrastructure in the amount of \$3,164,054 from the Water & Sewer Fund.

(The Village has selected and remains standardized on Sensus water meters. Core & Main is the sole geographic distributor for the Sensus products in this region.

(These water meters and associated AMI components would replace water meters in the residential areas and the Business Park. The residential meters have exceeded the recommended replacement interval and the Business Park meters are approaching that point.

(Core & Main is the successor firm of the Village's Sensus water meter distributors and has performed similar work to the Village's satisfaction in the past.

(Adequate funds are available in the Water & Sewer Fund.

(The Director of Public Works recommends approval.)

- l. Consideration of the following:

- To award a professional service contract to Siemens Industry, Inc. of Mount Prospect, IL for replacement of water meters, advanced metering infrastructure upgrades and other project management services as required in the amount of \$3,502,944 from the Water & Sewer Fund; and
- To increase the Water & Sewer Fund in the amount of \$3,500,000.

(A proposal was solicited from Siemens Industry, Inc. of Mount Prospect, IL for the replacement of water meters and upgrades to further develop an advanced metering infrastructure based upon joint, low bid quotes for Sieman Industry to replace water meters in Arlington Heights, Palatine, and Glenview.

(Sieman Industry was found to have the strongest customer service program of any proposed installer.

(The professional service contract also includes project management services.

(The Director of Public Works recommends approval.)

- m. Consideration of a balancing change order in the amount of \$311,721 for the following items related to budgeted fire station and training tower construction projects within the Capital Projects Fund as follows:
- To increase a contract with DuPage Topsoil of Wheaton, IL in the amount of \$39,303 for additional undercuts required due to soil conditions and the installation of a protective steel plate over a Nicor gas main at Fire Station 10;
 - To increase a contract with Great Lakes Landscaping of Elk Grove Village, IL in the amount of \$26,942 for additional irrigation work and soil delivery at Fire Station 10;
 - To increase a contract with Abbey Paving of Aurora, IL in the amount of \$49,234 for additional costs related to the use of winter concrete and high early strength concrete mix at Fire Station 8;
 - To increase a contract with Bernardoni Electric of Elgin, IL for electrical services at Fire Station 8 in the amount of \$134,086, primarily for the installation of underground conduit from Station 8 to the communications monopole, which was not in the original scope of work, as well as the change from Cat 6 cable to Cat 6A, which supports twice the bandwidth and frequency range; and
 - To increase a contract with Builders Concrete of Hillside, IL in the amount of \$62,156 for the reconstruction of three (3) manholes within the training tower, this expense is being offset by a credit from Jensen Plumbing & Heating.

(MTI is the Village's construction manager for the fire station construction and improvement projects.

(HR Green is the owner's representative for the fire station construction and improvement projects.

(As part of the station construction projects, it was necessary to make adjustments to original contract amounts due to unforeseen circumstances, plan alterations, and engineering inspections.

(Various contracts experienced change orders that exceeded 10%, the adjustment limit set per the Village's purchasing policies.

(MTI, HR Green, and Village staff are in agreement with these project adjustments.

(Adequate funds are available in the Capital Projects Fund.

(The Fire Chief recommends approval.)

- n. Considerations to concur with prior authorization to grant permission for Mikerphone Brewing, 121 Garlisch Drive, to operate their tasting room with extended holiday hours on September 2, 2019 due to the Labor Day holiday.

(Mikerphone Brewing has a liquor license which sets the hours of operations for their tasting room on weekdays from 3 p.m. to 10 p.m. to avoid conflict with neighboring business operations.

(Due to the Labor Day holiday, Mikerphone Brewing requested permission to open the tasting room on Monday, September 2, 2019 at noon.)

- o. Consideration to adopt Ordinance No. 3625 authorizing the Village of Elk Grove to accept the conveyance of certain property to provide for the relocation of a Cell Tower currently located on the Oakton Street Fire Station Property.

(Pursuant to the Redevelopment Agreement for the Technology Park, the Village and Brennan Investment Group, the owner of the Park, have agreed that Brennan convey certain property located on part of the property located at 70 S. Lively Boulevard to the Village and the Village convey the Oakton Street Fire Station property to Brennan in order to facilitate the development of the Park and relocate the existing Cell Tower.)

- p. Consideration to adopt Ordinance No. 3626 amending Position Classification and Salary Plan of the Village of Elk Grove Village (Police Officer in the Police Department).

(This Ordinance adds two (2) Police Officers in the Police Department, one (1) position is full-time and one (1) position is temporary.)

- q. Consideration to adopt Resolution No. 50-19 authorizing the Mayor to execute a Letter of Agreement between Elk Grove Village and the Village of Itasca for providing for a contribution amount of \$210,000 by the Village of Itasca as an offset to impacts on Nerge Road in relation to their redevelopment at the southeast corner of Devon and Rohlwing.

(The Village of Itasca has previously provided zoning approval for the redevelopment of approximately 48 acres, located on the south side of Devon Avenue, east of Route 53/Rohlwing Road.

(Due to the expected impact of the development on surrounding areas, including Nerge Road, Itasca has entered into an agreement with Bridge Itasca, LLC wherein Bridge Itasca LLC will provide financial contributions to offset to impacts on Nerge Road.

(Itasca is seeking Elk Grove's support for their request for a traffic signal at the intersection of Rohlwing Road/Route 53 and Hamilton Parkway, as well as support for intersection improvements at the intersection of Devon Road and Nerge Road.

(In consideration of Elk Grove's cooperation and support of these traffic improvements, Itasca agrees to make payment in the amount of \$210,000 to Elk Grove within 30 days of the effective date of this agreement to cover certain maintenance costs for Nerge Road.)

- r. Consideration to adopt Resolution No. 51-19 (attached) authorizing the Mayor to execute a Letter of Receipt stipulating the terms of an agreement for an application seeking a Cook County Class 6B Property Tax Exemption status pursuant to the Cook County Real Property Classification Ordinance as amended July 27, 2018 for certain real estate located at 1331 Brummel Ave.

(The Law Offices of Sarnoff & Baccash, on behalf of Ragnar Holdings LLC (Applicant) is seeking a Cook County Class 6B Property Tax Exemption for 1331 Brummel Ave.

(The Applicant intends to purchase the building to expand its operations of manufacturing,

distribution, and warehousing of its products. Products include high-end recognition awards under the Cristaux name.

(The Applicant currently operates in Elk Grove Village at 1343 Brummel Ave. where the employ twenty four people.

(The subject property consists of a 5,000 square foot building.

(The Applicant intends to spend approximately \$150,000 to improve the building. This includes; new concrete parking lot and front walk, new roof, replace front windows and re-brick the façade, add signage and décor to façade, remove front parking space and replace with landscaping, and tuck-point as needed.

(The eligibility requirements for 6B status are new construction, substantial renovation or buildings that have been vacant for a period of time.

(This site qualifies as it involves vacancy for less than twenty-four (24) months with a purchase for value, special circumstances and significant rehabilitation.

(Property approved for Class 6B status allows the owner of the property to have the assessment level lowered for a period of twelve years. The assessment schedule is 10% of fair market value for ten years then 15% in the eleventh year and 20% in the twelfth year. Industrial property is currently assessed at 25% of fair market value in Cook County.

(Upon approval, the Director of Business Development and Marketing will issue a Letter of Receipt to the Applicant. The Letter of Receipt will allow the Applicant to file an application with Cook County. Final approval is at the discretion of the Village Board and contingent with the Applicant completing the improvements stated in their application.

(The Director of Business Development and Marketing recommends issuing a Letter of Receipt.)

- s. Consideration to adopt Resolution No. 52-19 authorizing the Village Manager to port increment between the Busse/Elmhurst and Higgins Corridor Redevelopment Project Areas to defray certain eligible costs.

(The Higgins Corridor TIF District was created in 2017 and is directly contiguous to the Busse/Elmhurst TIF District.

(These contiguous redevelopment project areas were created with a common goal of revitalizing these connected corridors and spurring private investment and redevelopment in blighted and underutilized areas.

(This resolution authorizes the transfer of tax increment generated by the Busse/Elmhurst TIF District to be used for eligible costs in the adjacent Higgins Corridor TIF District.)

- t. Consideration to adopt Resolution No. 53-19 amending Resolution No. 61-96, 6-09, 60-09, 4-14 and 50-14 and authorizing the Mayor and Village Clerk to execute a Fourth Amendment to the Ground Lease Agreement and memorandum of Ground Lease Agreement between the Village of Elk Grove Village and TV6 Holdings, LLC.

(This amendment covers the changes necessary to relocate the tower as part of the Elk Grove Technology Park development.

(The existing cell tower was formerly part of the Oakton Fire Station property, which is now part of the Elk Grove Technology Park. The tower and associated equipment are being relocated to the area commonly known as 70 Lively Blvd to allow for the cohesive development of the Technology Park.

(This amendment updates the description of the property location, site plan, and legal

description of the leased area to correspond to the new tower location.
(All other terms and conditions of the Ground Lease remain intact.)

- u. Consideration to adopt Resolution No. 54-19 (attached) authorizing the Mayor and Village Clerk to execute a Letter of Intent between the State of Illinois Department of Transportation (IDOT) and the Village of Elk Grove Village for the proposed improvement plan and the cost participation responsibilities for IL 72 (Higgins Road) from Oakton Street to IL 83 (Busse Road).

(The State of Illinois has prepared a Letter of Intent to outline the mutual understanding between the Village of Elk Grove Village and the State of Illinois to serve as a written record of the Village's concurrence with the proposed improvement plan and the cost participation responsibilities for the subject project.

(The scope of work for the project includes restriping and minor widening to provide dual left turn lanes on all four legs of the IL 72 at IL 83 intersection, new signage and pavement markings to enhance continuity along IL 72, traffic signal replacement, pedestrian and bicyclists accommodations, and drainage improvements.

(The Director of Public Works has recommended approval.)

- v. Consideration to adopt Resolution No. 55-19 authorizing the Mayor and Village Clerk to execute an Annexation Agreement between the Village of Elk Grove Village and LPC EGV I, LLC of property to be annexed to the Village (Roppolo Subdivision).

(This item was discussed at the August 13, 2019 Village Board Meeting and currently appears under Unfinished Business.)

7. REGULAR AGENDA

8. PLAN COMMISSION - Village Manager Rummel

- a. PC Docket 19-9 - A Public Hearing for a petition submitted by Tri City Foods for a Special Use permit to add an additional drive-through lane to the existing Burger King restaurant located at 630 Meacham Road. (PH 08-19-2019)
- b. PC Docket 19-10 - Request granted for a Public Hearing to consider a petition for a Special Use permit to operate a drive-thru restaurant at 1420-1428 Busse Road. (PH 09-16-19)
- c. Request granted for a Public Hearing to consider Text Amendments to Section 2-2 and 3-6:B of the Elk Grove Zoning Ordinance regarding principal structures. (Public Hearing date has not yet been established.)

9. ZONING BOARD OF APPEALS - Village Manager Rummel

- a. ZBA Docket 19-4 - A Public Hearing for a variation from the Elk Grove Village Zoning Ordinance as it pertains to permitted locations for fences and pools in residential zoning districts for property located at 1101 Leicester Road. (PH 08-22-19)

10. YOUTH COMMITTEE - Trustee Franke

- 11. BUSINESS LEADERS FORUMS** - Trustee Lissner
- 12. CABLE TELEVISION COMMITTEE** - Trustee Lissner
- 13. HEALTH & COMMUNITY SERVICES** - Trustee Czarnik
- 14. INFORMATION COMMITTEE** - Trustee Lissner
- 15. RECYCLING & WASTE COMMITTEE** - Trustee Feichter
- 16. PARADE COMMITTEE** - Trustee Czarnik
- 17. PERSONNEL COMMITTEE** - Trustee Franke
- 18. JUDICIARY, PLANNING AND ZONING COMMITTEE** - Trustee Prochno
 - a. Telecommunication Facilities
- 19. CAPITAL IMPROVEMENTS COMMITTEE** - Trustee Czarnik
- 20. AIRPORT UPDATE**
- 21. MID-SUMMER CLASSICS CONCERT SERIES UPDATE** - Mayor Johnson
- 22. SPECIAL EVENTS COMMITTEE** - Mayor Johnson
- 23. LIQUOR COMMISSION** - Mayor Johnson
- 24. REPORT FROM VILLAGE MANAGER**
- 25. REPORT FROM VILLAGE CLERK**
- 26. UNFINISHED BUSINESS**
 - a. Village Attorney - Prepare the necessary documents for an Annexation Agreement between the Village of Elk Grove Village and the designated owners of property to be annexed to the Village (Roppolo Subdivision).
- 27. NEW BUSINESS**
- 28. PUBLIC COMMENT**
- 29. ADJOURNMENT**

In compliance with the Americans with Disabilities Act and other applicable Federal and State laws, the meeting will be accessible to individuals with disabilities. Persons requiring auxiliary aids and/or services should contact the Village Clerk, preferably no later than five days before the meeting.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE VILLAGE OF ELK GROVE TO ACCEPT THE CONVEYANCE OF CERTAIN PROPERTY TO PROVIDE FOR THE RELOCATION OF A CELL TOWER CURRENTLY LOCATED ON THE OAKTON STREET FIRE STATION PROPERTY

WHEREAS, the Village of Elk Grove is the owner of property which housed the former Fire Station on Oakton Street, which property is the location of an existing Cell Tower and is adjacent to the Elk Grove Technology Park; and

WHEREAS, pursuant to the Redevelopment Agreement for the Technology Park, the Village and Brennan Investment Group, the owner of the Park, have agreed that Brennan convey certain property located on part of property located at 70 S. Lively Boulevard to the Village and that the Village convey the Oakton Street Fire Station property to Brennan in order to relocate the Cell Tower.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, Illinois as follows:

Section 1: That the Village hereby accepts the conveyance of property from GB ELK GROVE 2, LLC, which property is legally described as follows:

THAT PART OF LOT 7 IN THE FINAL PLAT OF ELK GROVE TECHNOLOGY PARK RESUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTOIN 22, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 19, 2018 AS DOCUMENT NO. 1817016002, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHERLY CORNER OF SAID LOT 7; THENCE SOUTH 79 DEGREES 59 MINUTES 51 SECONDS EAST, ALONG A NORTHERLY LINE OF SAID LOT 7, ALSO BEING THE SOUTHERLY LINE OF HIGGINS ROAD, 1284.19 FEET; THENCE SOUTH 00 DEGREES 41 MINUTES 16 SECONDS EAST, ALONG AN EAST LINE OF SAID LOT 7, A DISTANCE OF 296.14 FEET: THENCE NORTH 89 DEGREES 18 MINUTES 44 SECONDS EAST, ALONG A NORTH LINE OF SAID LOT 7, A DISTANCE OF 108.99 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 18 MINUTES 44 SECONDS EAST, ALONG SAID NORTH LINE, 81.00 FEET TO A NORTHEAST CORNER THEREOF; THENCE SOUTH 00 DEGREES 41 MINUTES 16 SECONDS EAST, ALONG AN EAST LINE OF SAID LOT 7, SAID LINE ALSO BEING THE WEST LINE OF LIVELY BOULEVARD, A DISTANCE OF 70.00 FEET TO A POINT ON A LINE 70.00 FEET SOUTH OF AND PARALLEL WITH A NORTH LINE OF SAID LOT 7: THENCE SOUTH 89 DEGREES 18 MINUTES 44 SECONDS WEST, ALONG SAID PARALLEL LINE, 81.00 FEET TO A POINT ON A LINE 81.00 FEET WEST OF AND PARALLEL TO AN EAST LINE OF

SAID LOT 7, SAID LINE ALSO BEING THE WEST LINE OF LIVELY BOULEVARD;
THENCE NORTH 00 DEGREES 41 MINUTES 16 SECONDS WEST, ALONG SAID
PARALLEL LINE, 70.00 FEET TO THE POINT OF BEGINNING IN COOK COUNTY,
ILLINOIS.

Section 2: That pursuant to Ordinance No. 1214 duly passed and approved on April 25, 1978 and Section 3.05 of said Redevelopment Agreement, the Mayor and Village Clerk are hereby authorized to execute such documentation as is necessary to convey the Oakton Street Fire Station property to the owners of the Technology Park, which conveyance will occur subsequent to the completed relocation of the existing Cell Tower.

Section 3: That this Ordinance shall be in full force and effect from and after its passage and approval according to law.

VOTE: AYES _____ NAYS: _____ ABSENT: _____

PASSED this _____ day of _____ 2019.

APPROVED this _____ day of _____ 2019.

APPROVED:

Mayor Craig B. Johnson
Village of Elk Grove Village

ATTEST:

Loretta M. Murphy, Village Clerk

OrdRelocateCellTower

ORDINANCE NO. _____

AN ORDINANCE AMENDING POSITION CLASSIFICATION AND SALARY PLAN OF THE VILLAGE OF ELK GROVE VILLAGE (POLICE OFFICER IN THE POLICE DEPARTMENT)

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, Illinois as follows:

Section 1: That the Position Classification and Salary Plan of the Village of Elk Grove Village be and the same is hereby amended to read as follows:

Permanent Authorized Positions

<u>Police Department</u>	<u>Current</u>	<u>Delete Full-Time</u>	<u>Add Full-Time</u>	<u>Total September 11, 2019</u>
*Police Officer	70	0	2	72

*Authorized amount was increased by 2 positions. 1 will be on a temporary basis to allow for retirements, the other for a School Resource Officer (SRO). Authorized amount decreases to 71 after retirements.

Section 2: That this Ordinance shall be in full force and effect from and after its passage and approval according to law.

VOTE: AYES _____ NAYS: _____ ABSENT: _____

PASSED this _____ day of _____ 2019.

APPROVED this _____ day of _____ 2019.

APPROVED:

Mayor Craig B. Johnson
Village of Elk Grove Village

ATTEST:

Loretta M. Murphy, Village Clerk

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LETTER OF AGREEMENT BETWEEN THE VILLAGE OF ELK GROVE VILLAGE AND THE VILLAGE OF ITASCA FOR PROVIDING A CONTRIBUTION AMOUNT OF \$210,000 BY THE VILLAGE OF ITASCA AS AN OFFSET TO IMPACTS ON NERGE ROAD IN RELATION TO THEIR REDEVELOPMENT AT THE SOUTHEAST CORNER OF DEVON AVENUE AND ROHLWING ROAD

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, State of Illinois as follows:

Section 1: That the Mayor be and is hereby authorized to sign the attached document marked:

**LETTER OF AGREEMENT
BY AND BETWEEN THE VILLAGE OF ITASCA
AND
THE VILLAGE OF ELK GROVE VILLAGE**

a copy of which is attached hereto and made a part hereof as if fully set forth and the Village Clerk is authorized to attest said document upon the signature of the Mayor.

Section 2: That this Resolution shall be in full force and effect from and after its passage and approval according to law.

VOTE: AYES _____ NAYS: _____ ABSENT: _____

PASSED this _____ day of _____ 2019.

APPROVED this _____ day of _____ 2019.

APPROVED:

**Mayor Craig B. Johnson
Village of Elk Grove Village**

ATTEST:

Loretta M. Murphy, Village Clerk

**LETTER OF AGREEMENT BY AND BETWEEN
THE VILLAGE OF ITASCA AND VILLAGE OF ELK GROVE VILLAGE**

WHEREAS, the Village of Itasca (“Itasca”) and the Village of Elk Grove Village (“Elk Grove”) (jointly, the “Villages”) are units of local government; and

WHEREAS, the Villages wishes to enter in a Letter of Agreement; and

WHEREAS, Itasca has adopted Ordinance No. 1889-18, which granted certain zoning approvals to Bridge Itasca, LLC, an Illinois limited liability company, the owner and proposed developer of parcels of substantially vacant real estate within the Village of Itasca consisting of approximately 48 acres, generally located on the south side of Devon Avenue, east of Route 53/Rohlwing Road and west of I-290 (PINs 03-06-100-010 and 03-06-200-013) (the “Property”); and

WHEREAS, Bridge Itasca, LLC has petitioned the Illinois Department of Transportation (“IDOT”) to allow the installation of a traffic signal light at the intersection of Rohlwing Road/Route 53 and Hamilton Parkway, Itasca, Illinois; and

WHEREAS, Bridge Itasca, LLC has also petitioned the Cook County Department of Transportation and Highways (“CCDOH”) to allow for intersection improvements at the intersection of Devon Road and Nerge Road, between Itasca, Illinois and Elk Grove, Illinois; and

WHEREAS, Elk Grove will be expending nearly \$1.5 million for the design, engineering, and reconstruction of Nerge Road within the next year, and has expressed concerns that the proposed development by Bridge Itasca, LLC will have a deleterious impact on the Village’s reinvestment; and

WHEREAS, due to the expected impact of the development on surrounding areas, including Nerge Road, Itasca has entered into a Development Agreement with Bridge Itasca, LLC wherein Bridge Itasca LLC will provide a contribution amount of \$210,000.00.

NOW, THEREFORE, pursuant to statutory authority and their powers of intergovernmental cooperation, it is agreed by and among the Villages as follows:

- A. Incorporation of Recitals. The above recitals are hereby incorporated into and made a part of this Letter of Agreement.
- B. Elk Grove’s Obligations. Elk Grove agrees to fully and expeditiously cooperate with Itasca, Bridge Itasca, LLC, IDOT, CCDOH, the Illinois State Toll Highway Authority and any other such regulatory agency to support the approval and installation of the traffic signal light at the intersection of Rohlwing Road/Route 53 and Hamilton Parkway, Itasca, Illinois and the intersection improvements at Devon Avenue and Nerge Road (collectively, “traffic improvements”). Elk Grove agrees to provide any information and documentation, including but not limited to correspondence, letters, and responses in support of these traffic improvements in a timely and expeditious manner when such information or documentation is requested by Itasca, Bridge Itasca, LLC, IDOT, CCDOH, the Illinois State Toll Highway Authority, and any other such regulatory

agency. Elk Grove agrees not to take any adverse action against the traffic improvements so long as there is not a substantial change in the improvements currently planned.

- C. Itasca's Obligations. In Consideration of Elk Grove's cooperation and support of these traffic improvements, Itasca agrees to make payment in the amount of \$210,000.00 to Elk Grove within 30 days of the effective date of this agreement to cover certain maintenance costs for Nerge Road.
- D. If Elk Grove takes any adverse action against the traffic improvements or fails to fully and expeditiously cooperate with Itasca or Bridge Itasca, LLC to support IDOT's and CCDOTH's approval of these traffic improvements, Elk Grove forfeits the contribution payment from Itasca and Bridge Itasca, LLC., and shall be liable to Itasca for all monies already paid under this agreement.
- E. Each party represents to the other that:
 - 1. It has obtained all necessary approvals, consents and authorizations to enter into this Agreement;
 - 2. the person executing this Agreement on behalf of their party has the authority to do so;
 - 3. upon execution of this Agreement by the parties, it is valid and binding, enforceable in accordance with its terms; and
 - 4. the execution, delivery, and performance of this Agreement does not violate any bylaw, charter, regulation, law or any other governing authority of the party.

The parties hereby enter into this Agreement as of the Effective Date.

Village of Itasca

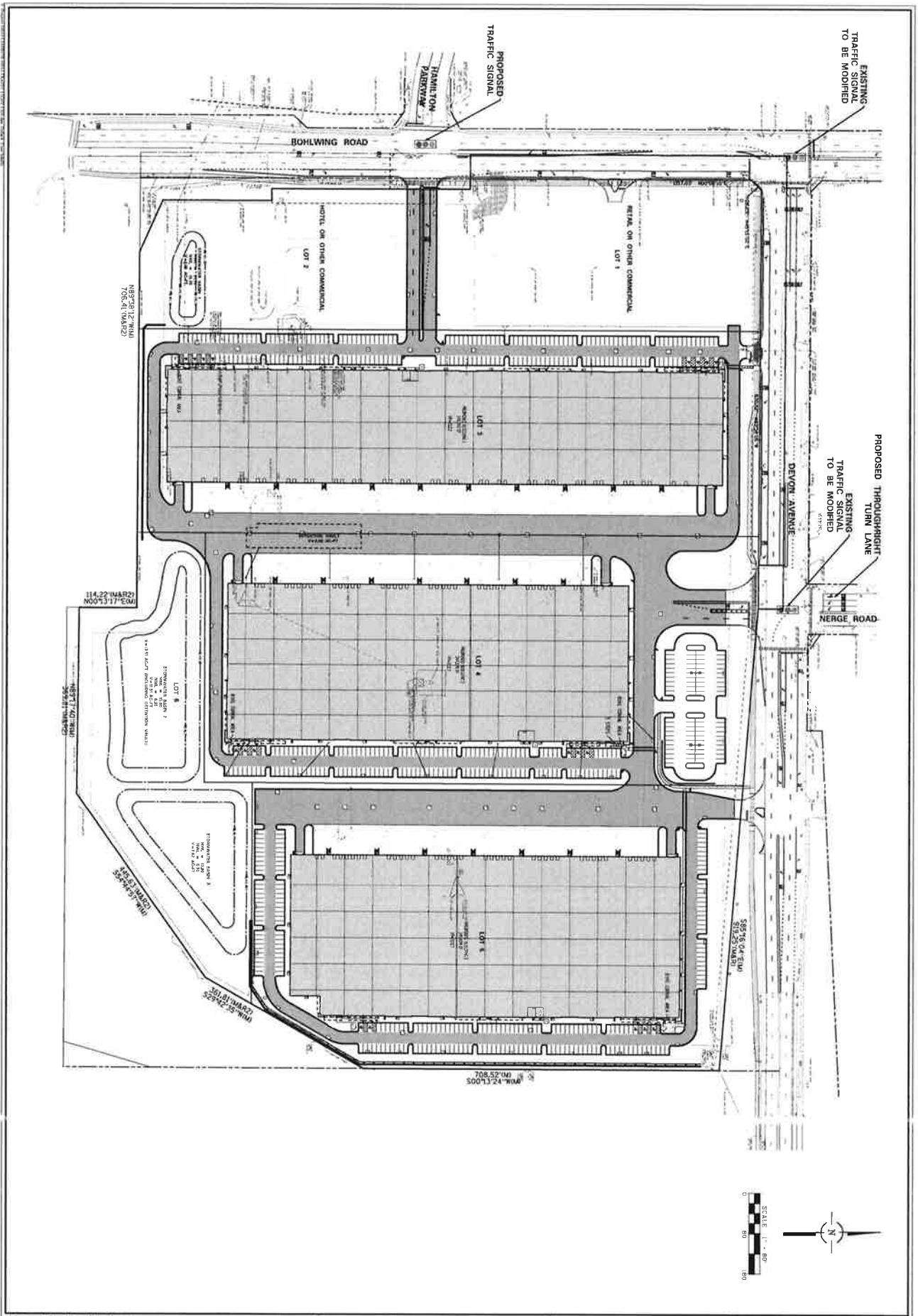
Village of Elk Grove Village

By: _____
Name: Jeffery J Pruyn
Title: Village President

By: _____
Name: Craig B Johnson
Title: Mayor

Date: _____

Date: _____



SPARBERG INC.

CONSULTING ENGINEER
SITE DEVELOPMENT ENGINEER
LAND SURVEYOR

1375 W. Higgins Road, Ste. 9-212
Itasca, IL 60143-3224
Phone: (708) 488-0262 Fax: (708) 478-1581

LETTER OF AGREEMENT EXHIBIT

BRIDGE POINT ITASCA
ITASCA, ILLINOIS

NO.	DATE	REVISIONS
1	08-08-19	REVISED PER VILLAGE REVIEW

NO.	DATE	REMARKS

Scale of Agreement Exhibit: 1" = 80'

DATE: 7/10/19

BY: [Signature]

RESOLUTION NO. _____

A RESOLUTION DETERMINING THE APPROPRIATENESS FOR CLASS 6B STATUS PURSUANT TO THE COOK COUNTY REAL PROPERTY CLASSIFICATION ORDINANCE AS AMENDED JULY 27, 2018 FOR CERTAIN REAL ESTATE LOCATED AT 1331 BRUMMEL AVENUE, ELK GROVE VILLAGE, ILLINOIS

WHEREAS, the Village of Elk Grove Village desires to promote the development of industry in the Village of Elk Grove; and

WHEREAS, the Cook County Assessor is operating under an ordinance enacted by the Cook County Board of Commissioners, and amended from time to time, the most recent amendment becoming effective as of July 27, 2018, which has instituted a program to encourage industrial and commercial development in Cook County known as the Cook County Real Property Classification Ordinance; and

WHEREAS, in the case of abandoned property, if the municipality or the Mayor and Board of Trustees, finds that special circumstances justify finding that the property is "abandoned" for purpose of Class 6B, even though it has been vacant and unused for less than 24 months, that finding, along with the specification of the circumstances, shall be included in the resolution or ordinance supporting and consenting to the Class 6B application. Such resolution or ordinance shall be filed with the eligibility application. If the ordinance or resolution is that of a municipality, the approval of the Board of Commissioners of Cook County is required to validate such shortened period of qualifying abandonment, and a resolution to that effect shall be included with the Class 6B eligibility application filed with the Assessor; and

WHEREAS, the Petitioner has applied for or is applying for Class 6B property status pursuant to said aforementioned ordinance for certain real estate located at 1331 Brummel Avenue, in the Village of Elk Grove Village, Cook County, Illinois, with the Property Index Number 08-27-202-077-0000, and has proven to this Board that such incentive provided for in said ordinance is necessary for development to occur on this specific real estate.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, Illinois:

Section 1: That the request of the Petitioner to have certain real estate located at 1331 Brummel Avenue, Elk Grove Village, Cook County, Illinois, identified by Property Index Numbers 08-27-202-077-0000, declared eligible for Class 6B special circumstances status pursuant to the Cook County Real Property Classification Ordinance as amended July 27, 2018, is hereby granted in that this Board and the Village of Elk Grove Village, Illinois, has determined

that the incentive provided by the said Class 6B Tax Incentive Ordinance is necessary for the said development to occur on the subject property, legally described as follows:

LOT 1 IN KRUTEDAWS SUBDIVISION OF LOT 188 IN HIGGINS INDUSTRIAL PARK UNIT 130 BEING A SUBDIVISION IN THE NORTHEAST 1/4 OF SECTION 27, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Section 2: That the Special Circumstances as outlined by the petitioner are attached hereto as Exhibit A and made a part thereof.

Section 3: That the Village of Elk Grove Village, Illinois hereby supports and consents to the Class 6B Application and approves the classification of the subject property as Class 6B property pursuant to the Cook County Real Property Classification Ordinance and the Class 6B tax incentives shall apply to the property identified as Permanent Real Estate Index Numbers 08-27-202-077-0000. Elk Grove Village is in receipt of an economic disclosure statement that is required with the application packet.

Section 4: That the Mayor and Village Clerk are hereby authorized to sign any necessary documents to implement this Resolution subject to the petitioner completing the following conditions within twelve months of closing:

- a. New concrete parking lot and front walk;
- b. New roof, replace front windows, and re-brick the façade;
- c. Add signage and décor to façade;
- d. Remove front parking space and replace with landscaping and tuck-point as needed.

Section 5: That this Resolution shall be in full force and effect from and after its passage and approval according to law.

VOTE: AYES: _____ NAYS: _____ ABSENT: _____

PASSED this _____ day of _____ 2019.

APPROVED this _____ day of _____ 2019.

APPROVED:

Mayor Craig B. Johnson
Village of Elk Grove Village

ATTEST:

Loretta M. Murphy, Village Clerk

EXHIBIT A

SARNOFF ♦ BACCASH
PROPERTY TAX LAW

**Special circumstances requested by Ragnar Holdings, LLC, or another entity to be named
1331 Brummel St., Elk Grove Village, Illinois (PIN: 08-27-202-077-0000)**

Ragnar Holdings, LLC, or another entity to be named ("Applicant"), is requesting a Resolution in support and consent of a Class 6b Incentive on the above-referenced property based on occupation of an abandoned property that has been vacant for less than 24 continuous months with a purchase for value, special circumstances and substantial rehabilitation. The Applicant plans to purchase the subject property and rehabilitate the same for its related entity, Cristaux, Inc., to occupy for its operations consisting of the light manufacturing, warehousing and distribution of custom recognition awards.

The subject property consists of an approximately 14,949 square foot site with a roughly 5,000 square foot building that will be 100% vacant and unused prior to purchase. The subject property is in need of substantial rehabilitation. Therefore, the Applicant plans to spend approximately \$195,000 to \$210,000 to immediately rehabilitate the subject property. Based on initial inspections these improvements will be to add a new parking lot and front walkway, install a new roof, improve the façade, replace exterior windows, add new signage and add landscaping as well as to complete other general maintenance. Note that tuckpointing will likely need to be completed and there will be improvements made to the interior. In addition, please note that all of the rehabilitation costs could significantly vary depending on a variety of factors such as market variances. Further inspections of the subject property may require additional improvements. The rehabilitation will create approximately 10 to 20 construction jobs.

Cristaux, Inc. currently occupies the approximately 13,000 square foot property next door to the subject property located at 1343 Brummel St. Cristaux, Inc. is growing, and therefore, plans to expand its operations by remaining at its current location as well as moving and increasing its warehousing at the subject property. Currently, Cristaux, Inc. has 24 employees (20 full-time; 4 part-time). Approximately 1 to 4 of the current employees will come to the new site. In addition, and depending on growth, Cristaux, Inc. plans on adding approximately 2 to 5 employees in the next 1 to 3 years. Additionally, Cristaux, Inc. will look to hire all qualified Elk Grove Village residents for future hires.

Elk Grove Village can also expect that Cristaux, Inc. and its employees will continue to invest commercially back into the community by visiting local establishments such as restaurants, gas stations, grocery stores and more. In addition, Elk Grove Village can expect that Cristaux, Inc. will continue attract business and various customers to the Village in the course of its operations.

Based on our research and the additional costs that must be incurred to rehabilitate the building in order for this to be a successful endeavor, the Applicant must possess a Class 6b Incentive to complete the improvements and to successfully operate the property. It is for these reasons that it is necessary to grant the Applicant a Resolution in support and consent of a Class 6b Incentive for the subject property based on occupation of an abandoned property that has been vacant for less than 24 continuous months with a purchase for value, special circumstances and substantial rehabilitation.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO PORT INCREMENT BETWEEN THE BUSSE/ELMHURST AND HIGGINS CORRIDOR REDEVELOPMENT PROJECT AREAS TO DEFRAY CERTAIN ELIGIBLE COSTS

A. Pursuant to the Illinois Tax Increment Allocation Redevelopment Act (65 ILCS 5/74.4-1 et seq.) (“TIF Act”), the Village created two contiguous redevelopment project areas: the Busse/Elmhurst Redevelopment Project Area (“Elmhurst TIF District”); and the Higgins Corridor Redevelopment Project Area (“Higgins TIF District”). The Busse/Elmhurst TIF District and the Higgins TIF District are collectively referred to herein as the “TIF Districts.”

B. Section 74.4-4(q) of the Act grants the Village the authority to use increment generated by one redevelopment project area to pay for “Eligible Costs,” as that term is defined in the Act, to pay for Eligible Costs in an adjacent, contiguous redevelopment project area.

C. The Village has determined that it may be necessary and desirable to use increment from the Elmhurst TIF District to pay for eligible costs in the Higgins TIF District, in accordance with the Act and the redevelopment plans for each TIF District.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, State of Illinois as follows:

Section 1: The Village Manager is hereby authorized to use tax increment generated from the Busse/Elmhurst TIF District to pay for eligible costs in the Higgins TIF District.

Section 2: That this Resolution shall be in full force and effect from and after its passage and approval according to law.

VOTE: AYES _____ NAYS: _____ ABSENT: _____

PASSED this _____ day of _____ 2019.

APPROVED this _____ day of _____ 2019.

APPROVED:

Mayor Craig B. Johnson
Village of Elk Grove Village

ATTEST:

Loretta M. Murphy, Village Clerk

RESOLUTION NO. _____

A RESOLUTION AMENDING RESOLUTION NO. 61-96, RESOLUTION NO. 6-09, RESOLUTION NO. 60-09, RESOLUTION NO. 4-14 AND RESOLUTION NO. 50-14 AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE A FOURTH AMENDMENT TO THE GROUND LEASE AGREEMENT AND MEMORANDUM OF GROUND LEASE AGREEMENT BETWEEN THE VILLAGE OF ELK GROVE VILLAGE AND TV6-HOLDINGS, LLC (70 LIVELY BOULEVARD)

NOW, THEREFORE BE IT RESOLVED by the Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, State of Illinois as follows:

Section 1: That the Mayor be and is hereby authorized to sign the attached document entitled:

FOURTH AMENDMENT TO GROUND LEASE AGREEMENT

a copy of which is attached hereto and made a part hereof as if fully set forth and the Village Clerk is authorized to attest said documents upon the signature of the Mayor.

Section 2: That this Resolution shall be in full force and effect from and after its passage and approval according to law.

VOTE: AYES _____ NAYS: _____ ABSENT: _____

PASSED this _____ day of _____ 2019.

APPROVED this _____ day of _____ 2019.

APPROVED:

Mayor Craig B. Johnson
Village of Elk Grove Village

ATTEST:

Loretta M. Murphy, Village Clerk

Prepared by: Bianca Fraker
After recording return to: Rita Drinkwater
SBA Network Services, LLC
8051 Congress Avenue, 3rd Floor
Boca Raton, FL 33487-1307
Phone: 1-800-487-7483 Ext. 7906

Property Parcel ID: 08-22-303-010

AMENDMENT TO GROUND LEASE AGREEMENT

THIS AMENDMENT TO GROUND LEASE AGREEMENT (this "Amendment") is made as of the ____ day of _____, 2019, by and between **THE VILLAGE OF ELK GROVE VILLAGE**, an Illinois home rule municipal corporation located in Cook and DuPage Counties, having an office at 901 Wellington Avenue, Elk Grove Village, Illinois 60007 ("Landlord") and **TV6 HOLDINGS, LLC**, a Delaware limited liability company with an address at 8051 Congress Avenue, Boca Raton, Florida 33487-1307 ("Tenant").

WHEREAS, Landlord and AT&T Wireless Services, Inc., a Delaware corporation ("AT&T") entered into a certain unrecorded Ground Lease Agreement, dated December 10, 1996 and last executed on January 3, 1997, as amended on December 10, 1996, on February 6, 2009, on December 7, 2009 and on November 18, 2014, (collectively, the "Ground Lease") whereby Landlord leased to AT&T a portion of that certain real property, located at 1060 Oakton Avenue, Village of Elk Grove, County of Cook, State of Illinois (hereinafter, the "Property") and also described in the Ground Lease for the construction and operation of a wireless communications facility; and

WHEREAS, Tower Assets Newco IX LLC, a Delaware limited liability company, successor in interest to AT&T and TV6-W, LLC, a Delaware limited liability company entered into an Assignment and Assumption of Ground Lease dated January 1, 2014; and

WHEREAS, TV6-W, LLC, merged with and into Tenant effective June 8, 2015; and

WHEREAS, Landlord and Tenant desire and intend to, amend and supplement the Ground Lease as provided herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto covenant, agree and bind themselves to the following modifications to the Ground Lease:

1. Section 1.10 Property of the Ground Lease, is hereby deleted in its entirety and replaced with the following:

1.10 Property
5,670 (70' x 81') square feet of the certain real property with a common address of, 70 Lively Blvd, Elk Grove Village, IL 60007, having a Property Parcel ID: 08-22-303-010 (the "Property").

2. Section 1.14 Tenant's Address of the Ground Lease, is hereby deleted in its entirety and replaced with the following:

1.14 Tenant's Address
TV Holdings, LLC
8051 Congress Avenue
Boca Raton, FL 33487-1307
RE: IL22745-S/ Elk Grove Fire Station Relo
Attn: Site Administration
Phone # - (561) 995-7670

3. Exhibit A to the Ground Lease is hereby deleted in its entirety and replaced with the revised Exhibit A – Legal Description, attached hereto and made a part hereof.

4. Exhibit B to the Ground Lease is hereby deleted in its entirety and replaced with the revised Exhibit B – Site Plan, attached hereto and made a part hereof.

5. This Amendment will be governed by and construed and enforced in accordance with the laws of the State in which the Premises are located without regard to principles of conflicts of law.

6. This Amendment may be executed in counterparts, each of which shall be deemed an original document, but all of which will constitute a single document. This document shall not be binding on or constitute evidence of a contract between the parties hereto until such time as a counterpart of this document has been executed by each party and a copy thereof delivered to each other party of this Amendment.

7. Except as specifically set forth in this Amendment, the Ground Lease is otherwise unmodified and remains in full force and effect and is hereby ratified and reaffirmed. In the event of any inconsistencies between the Ground Lease and this Amendment, the terms of this Amendment shall take precedence.

8. Capitalized terms not defined in this Amendment will have the meaning ascribed to such terms in the Ground Lease.

9. This Amendment shall be effective as of the date last executed below

[SIGNATURE PAGE(S) TO FOLLOW]

IN WITNESS WHEREOF, the parties have executed this Amendment as of the day and year first above written.

WITNESSES:

LANDLORD:

THE VILLAGE OF ELK GROVE VILLAGE,
an Illinois home rule municipal corporation

Instrument Name: _____

By: _____
Title: _____

Date: _____

Print Name: _____

STATE OF _____ }

COUNTY OF _____ }

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgments, personally appeared _____, as _____ for **THE VILLAGE OF ELK GROVE VILLAGE**, an Illinois home rule municipal corporation, to me known to be the person described in and who executed the foregoing instrument and who acknowledged before me that he executed the same in the capacity aforesaid.

WITNESS my hand and official seal in the County and State last aforesaid the _____ day of _____, 2019.

Sign Name: _____

Print Name: _____

Notary Public

My Commission expires on: _____

WITNESSES:

TENANT: TV6 HOLDINGS, LLC,
a Delaware limited liability company

Print Name: _____

Print Name: _____



STATE OF FLORIDA }
 } .ss:
COUNTY OF PALM BEACH }

I, _____, a notary public of Palm Beach County, Florida CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgments, personally appeared **ALYSSA HOULIHAN**, as Vice President, Site Leasing of **TV6 HOLDINGS, LLC**, a Delaware limited liability company, to me known to be the person described in and who executed the foregoing instrument and who acknowledged before me that she executed the same in the capacity aforestated.

WITNESS my hand and official seal in the County and State last aforesaid the _____ day of _____, 2019.

Sign Name: _____

Print Name: _____
Notary Public



EXHIBIT - A
Legal Description

A portion of:

An interest in land, said interest being over a portion of the following described parent parcel:

Lot 77 in Higgin's Industrial Park Unit Number 50, being a subdivision in the South East 1/4 of Section 22, Township 41 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

And now more commonly described as:

Lot 7 on the Final Plat of Elk Grove Technology Park Resubdivision, being a subdivision of part of the Southwest quarter of Section 22, Township 41 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois, according to the Plat thereof recorded June 19, 2018 as Document No. 1817016002.

AND BEING the same property conveyed to GB Elk Grove 1, LLC, a Delaware limited liability company from 70 S. Lively Boulevard, LLC, an Illinois limited liability company by Special Warranty Deed dated January 18, 2018 and recorded January 19, 2018 in Instrument No. 1801929119.

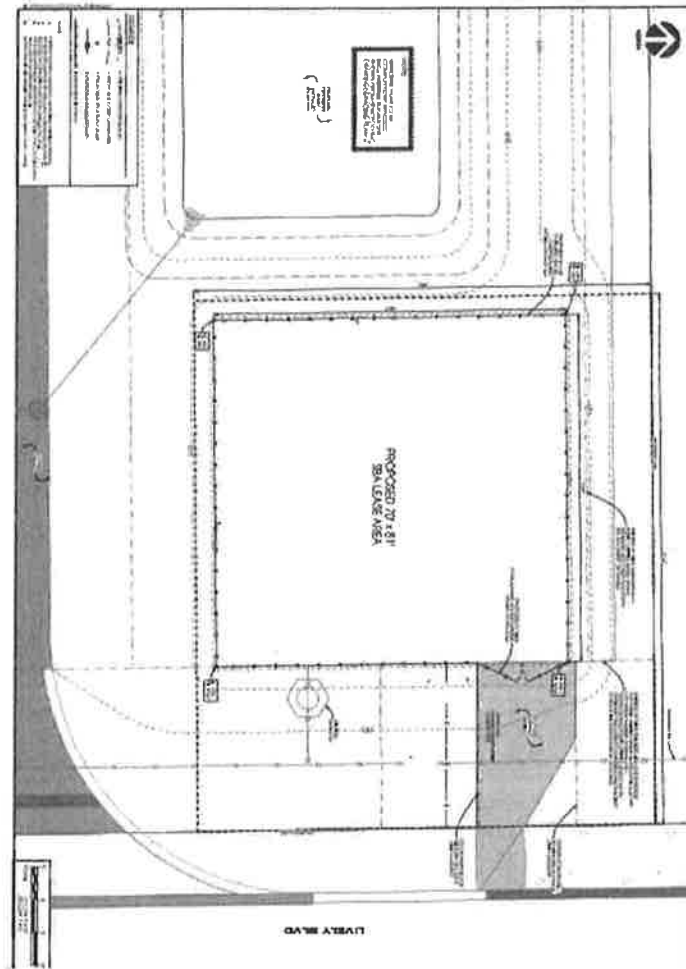
Tax Parcel No. 08-22-303-010

Initials: _____

Initials: _____

EXHIBIT - B
Site Plan

The Site shall consist of 5,670 (70' x 81') square feet of ground space along with easement rights for access to the Site and parking by vehicle, trucks, heavy machinery or foot from the nearest public way and for the installation of utility wires, poles, cables, conduits and pipes on the Property in the approximate locations as depicted below:



Initials: _____

Initials: _____

Site Name: Elk Grove Fire Station to Elk Grove Fire Station Relo
Site ID: IL17072-A to IL22745-S



Prepared by: Bianca Fraker
After recording return to: Rita Drinkwater
SBA Network Services, LLC
8051 Congress Avenue
Boca Raton, FL 33487
Ph: 1-800-487-7483 ext. 7872

Property Parcel ID: 08-22-303-010

MEMORANDUM OF GROUND LEASE AGREEMENT

THIS **MEMORANDUM OF GROUND LEASE AGREEMENT** (herein "Memorandum") is made this _____ day of _____, 2019, by and between **THE VILLAGE OF ELK GROVE VILLAGE**, an Illinois home rule municipal corporation located in Cook and DuPage Counties, having an office at 901 Wellington Avenue, Elk Grove Village, Illinois 60007 (herein "Landlord") and **TV6 HOLDINGS, LLC**, a Delaware limited liability company, having a principal office located at 8051 Congress Avenue, Boca Raton, Florida 33487-1307 (herein "Tenant").

WHEREAS, Landlord and Tenant are successors in interest to that certain unrecorded Ground Lease Agreement, dated December 10, 1996 and last executed on January 3, 1997, as amended on December 10, 1996, on February 6, 2009, on December 7, 2009, on November 18, 2014, and on August _____, 2019 (hereinafter, collectively referred to as "Ground Lease") whereby Landlord leased to Tenant a portion of the Property (as defined below). All terms used but not defined herein shall have the meaning ascribed to them in the Ground Lease.

WHEREAS, Landlord and Tenant desire to enter into this Memorandum to give notice of said Ground Lease, as amended, the relocation of the Site leased therein and all of its terms, covenants and conditions to the same extent as if the same were fully set forth herein.

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration including the rents reserved and the covenants and conditions more particularly set forth in the Ground Lease, Landlord and Tenant do hereby covenant, promise and agree as follows:

1. The Ground Lease provides in part that Landlord leases to Tenant approximately 5,670 (70' x 81') square feet, as depicted in Exhibit "A" attached hereto (the "Leased Space") within the property commonly known as 70 Lively Blvd., Elk Grove Village, County of Cook, State of Illinois, Property Parcel ID: 08-22-303-010 with the legal description set forth in Exhibit "B" attached hereto (the "Property").
2. Tenant leases the Leased Space from Landlord, together with all easements for ingress, egress and utilities as more particularly described in the Ground Lease, all upon the terms and conditions more particularly set forth in the Ground Lease. The current Ground Lease term renews December 31, 2021, and is subject to an additional five (5) 5-year renewal terms. The final Ground Lease expiration date, if all renewal terms are exercised, will be December 31, 2046.
3. The sole purpose of this instrument is to give notice of said Ground Lease and all its terms, covenants and conditions to the same extent as if the same were fully set forth herein. The Ground Lease



contains certain other rights and obligations in favor of Landlord and Tenant which are more fully set forth therein.

4. Right of First Refusal. If at any time during the Term of the Ground Lease, Landlord receives a bona fide written offer from a third person (the "Offer") to sell, assign, convey, lease, factor or otherwise transfer or create any interest in the current or future Rent, the Ground Lease, the Leased Space or the Premises, or any portion thereof, which Landlord desires to accept, Landlord shall first give Tenant written notice (including a copy of the proposed contract) of such Offer prior to becoming obligated under such Offer, with such notice giving Tenant the right to acquire the interest described in the Offer on the terms set forth in the Offer. Tenant shall have a period of thirty (30) days after receipt of Landlord's notice and terms to exercise Tenant's right of first refusal by notifying Landlord in writing. If Tenant has not exercised its right of first refusal in writing to Landlord within such thirty (30) day period, the terms of the Offer will be deemed rejected.

5.

6. The conditions, covenants and agreements contained in this instrument shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors and assigns for the Term of the Ground Lease and any extensions thereof. All covenants and agreements of the Ground Lease shall run with the land.

IN WITNESS WHEREOF, the parties have executed this Memorandum as of the day and year first above written.

WITNESSES:

LANDLORD:
THE VILLAGE OF ELK GROVE VILLAGE,
an Illinois home rule municipal corporation

Print Name

By: _____
Print: _____
Title: _____
Date: _____

Print Name

STATE OF _____ }
 } .ss:
COUNTY OF _____ }

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgments, personally appeared _____, as _____ for **THE VILLAGE OF ELK GROVE VILLAGE**, an Illinois home rule municipal corporation, to me known to be the person described in and who executed the foregoing instrument and who acknowledged before me that he/she executed the same in the capacity aforesaid.

WITNESS my hand and official seal in the County and State last aforesaid the _____ day of _____, 2019.

Sign Name: _____

Print Name: _____
Notary Public

My Commission expires on: _____

WITNESSES:

TENANT: TV6 HOLDINGS, LLC,
a Delaware limited liability company

Print Name

Print Name



STATE OF FLORIDA }
 }.ss:
COUNTY OF PALM BEACH }

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgments, personally appeared **ALYSSA HOULIHAN, AS VICE PRESIDENT, SITE LEASING OF TV6 HOLDINGS, LLC**, a Delaware limited liability company, to me known to be the person described in and who executed the foregoing instrument and who acknowledged before me that she executed the same in the capacity aforestated.

WITNESS my hand and official seal in the County and State last aforesaid the _____ day of _____, 2019.

Sign Name: _____

Print Name: _____

Notary Public

My Commission Expires: _____



EXHIBIT A

The Leased Space shall consist of 5,670 (70' x 81') square feet of ground space along with easement rights for access to the Leased Space by vehicle or foot from the nearest public way and for the installation of utility wires, poles, cables, conduits and pipes on the Premises in the approximate locations as depicted below:

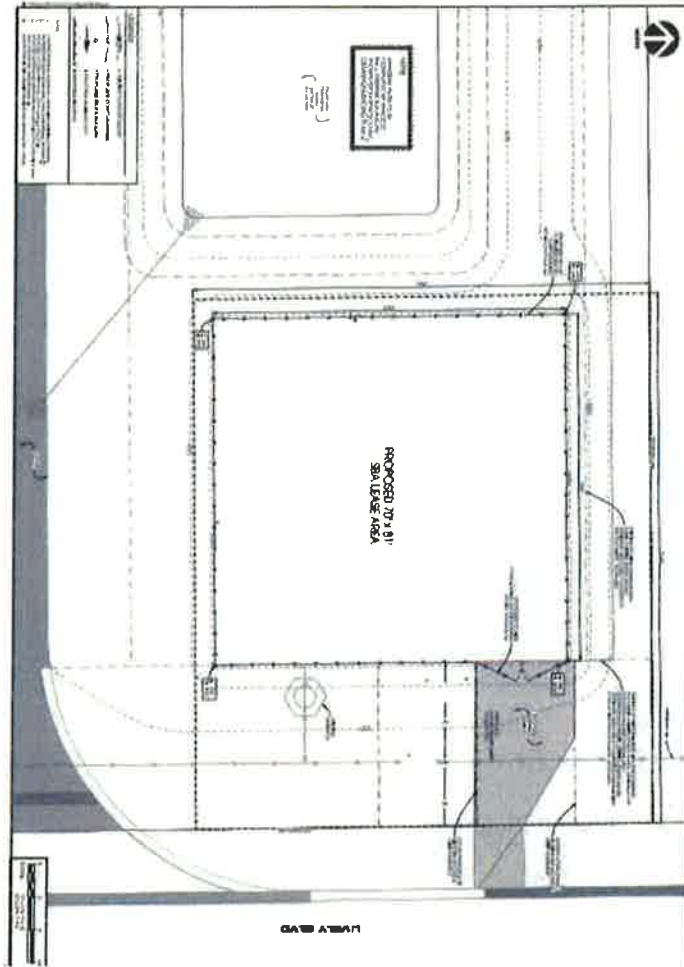


EXHIBIT B

LEGAL DESCRIPTION OF THE PREMISES

A portion of:

An interest in land, said interest being over a portion of the following described parent parcel:

Lot 77 in Higgin's Industrial Park Unit Number 50, being a subdivision in the South East 1/4 of Section 22, Township 41 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

And now more commonly described as:

Lot 7 on the Final Plat of Elk Grove Technology Park Resubdivision, being a subdivision of part of the Southwest quarter of Section 22, Township 41 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois, according to the Plat thereof recorded June 19, 2018 as Document No. 1817016002.

AND BEING the same property conveyed to GB Elk Grove 1, LLC, a Delaware limited liability company from 70 S. Lively Boulevard, LLC, an Illinois limited liability company by Special Warranty Deed dated January 18, 2018 and recorded January 19, 2018 in Instrument No. 1801929119.

Tax Parcel No. 08-22-303-010

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE A LETTER OF INTENT BETWEEN THE STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION (IDOT) AND THE VILLAGE OF ELK GROVE VILLAGE FOR THE PROPOSED IMPROVEMENT PLAN AND THE COST PARTICIPATION RESPONSIBILITIES FOR IL 72 (HIGGINS ROAD) FROM OAKTON STREET TO IL 83 (BUSSE ROAD)

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, State of Illinois as follows:

Section 1: That the Mayor be and is hereby authorized to sign the attached documents marked:

**ILLINOIS DEPARTMENT OF TRANSPORTATION
LETTER OF INTENT
COST PARTICIPATION RESPONSIBILITIES**

a copy of which is attached hereto and made a part hereof as if fully set forth and the Village Clerk is authorized to attest said documents upon the signature of the Mayor.

Section 2: That this Resolution shall be in full force and effect from and after its passage and approval according to law.

VOTE: AYES _____ NAYS: _____ ABSENT: _____

PASSED this _____ day of _____ 2019.

APPROVED this _____ day of _____ 2019.

APPROVED:

**Mayor Craig B. Johnson
Village of Elk Grove Village**

ATTEST:

Loretta M. Murphy, Village Clerk



Illinois Department of Transportation

Office of Highways Project Implementation / Region 1 / District 1
201 West Center Court / Schaumburg, Illinois 60196-1096

August 18, 2016

The Honorable Craig B. Johnson
Mayor
Elk Grove Village
901 Wellington Avenue
Elk Grove Village, IL 60007

Dear Mayor Johnson:

The Illinois Department of Transportation (Department) is in the process of finalizing preliminary engineering and environmental studies (Phase I) for the improvement of IL 72 from Oakton Street to IL 83 in Elk Grove Village in Cook County. This improvement is included in the Department's FY 2017-2022 Proposed Highway Improvement Program. Our current engineering efforts are targeted to enable a contract letting in the middle years of our current multi-year program contingent upon plan readiness, land acquisition, and funding availability through our future annual legislative appropriations. This will serve as a Letter of Intent between Elk Grove Village (Village) and the Department confirming your concurrence with the proposed improvement plan and the cost participation responsibilities for the subject project.

The scope of work for the project includes restriping and minor widening to provide dual left turn lanes on all four legs of the IL 72 at IL 83 intersection, new signage and pavement markings to enhance continuity along IL 72, traffic signal replacement, pedestrian and bicyclist accommodations, and drainage improvements. This scope of work was discussed in greater detail during coordination with the Village. A CD of the proposed roadway geometry is enclosed.

Based on previous coordination with the Village, specific items identified by the Department requiring cost participation by the Village include traffic signal replacement, emergency vehicle pre-emption (EVP) devices, bicyclist and pedestrian accommodations, roadway lighting, and LED street signs. Additional discussion regarding utility relocation is included for your information.

Traffic Signal Replacement and Emergency Vehicle Pre-emption Devices

Traffic signal replacement is proposed at the intersections of IL 72 at Oakton Street (west), IL 83/Busse Road, and IL 83 (Oakton Street-east). As outlined in the attached Exhibit A, funds provided by the Federal Highway Administration (FHWA) may be used for 90% of the traffic signal costs with the Department and Village sharing in the remainder of the cost, based on the percentage of approach leg jurisdiction. If federal funds are not used, the FHWA share will be assumed by the Department. The Village has jurisdiction of Oakton Street (west) at IL 72. The total cost of the traffic signal work at this intersection is \$300,000. The cost of the traffic signals to the Village is \$11,500, including a 15% engineering fee.

The Village has expressed interest in installing emergency vehicle pre-emption (EVP) devices on the traffic signals. The financial responsibility for the EVP devices for this improvement and any future improvements requiring modifications to the traffic signals, including maintenance and energy costs, shall be borne by the Village. The estimated cost for EVP devices is \$6,900 per signalized intersection, including a 15% engineering fee. The total cost to the Village for EVP devices is \$20,700, including a 15% engineering fee.

The cost share breakdown of traffic signal costs is outlined in the following table. The Village's share of the costs will be approximately \$32,200.

Location	Improvement	FHWA Cost	Division of Remaining Costs		Engineering Fee, 15%	Total Village Cost
			IDOT	Village		
IL 72 at Oakton Street (west)	Traffic Signal Replacement \$300,000	\$270,000 (90%)	\$20,000 (6.7%)	\$10,000 (3.3%)	\$1,500	\$11,500
	Emergency Vehicle Pre-Emption (EVP) Devices	\$0 (0%)	\$0 (0%)	\$6,000 (100%)	\$900	\$6,900
IL 72 at IL 83/Busse Road	Emergency Vehicle Pre-Emption (EVP) Devices	\$0 (0%)	\$0 (0%)	\$6,000 (100%)	\$900	\$6,900
IL 72 at IL 83 (Oakton Street-east)	Emergency Vehicle Pre-Emption (EVP) Devices	\$0 (0%)	\$0 (0%)	\$6,000 (100%)	\$900	\$6,900
Total Village Costs- Traffic Signals and EVP						\$32,200

Energy and Maintenance Costs for Traffic Signals

Energy and maintenance costs will continue as outlined in the existing Master Agreement executed between the Village and the Department.

Bicyclist and Pedestrian Accommodations

As described in the attached Exhibit A, the Department is responsible for 100% of the cost for removal and replacement of existing sidewalk/paths affected by the roadway improvements. The existing sidewalk at the northwest and southeast corners of the intersection of IL 72 and Busse Road will be removed and replaced in kind.

New sidewalks and shared-use paths can be provided within, or short distances outside of, the project limits if the local agency is willing to participate in cost sharing and take maintenance responsibilities for these accommodations. Existing sidewalk not affected by the improvements can be replaced/upgraded with an HMA shared-use path. The local cost share for new sidewalks and shared-use paths, as well as the replacement of existing sidewalks with HMA shared-use paths, is 20% of the construction cost plus a 15% engineering fee.

Based on coordination with the Village, the following new bicyclist and pedestrian accommodations are proposed:

- 790 feet of existing sidewalk on the west side of Busse Road, north of IL 72, will be replaced with a ten-foot wide shared-use path
- 1,935 feet of ten-foot wide shared-used path will be provided on the south side of IL 72 between Crossen Avenue and Busse Road

The estimated cost of the shared-use path is \$95,375. The Village's portion would be approximately \$21,936, including a 15% engineering fee. In addition, the Village must agree to accept long-term responsibility for the administration, control, reconstruction, and maintenance of the shared-use path.

Roadway Lighting and LED Street Signs

As outlined in the attached Exhibit A, all costs and long-term maintenance associated with roadway lighting within the corporate limits of a municipality are a local responsibility. The Village has requested the installation of LED roadway lighting along IL 72 and IL 83. The estimated cost of the LED roadway lighting is \$362,250, including a 15% engineering fee. Given the relatively high cost of the lighting, the limited scope of the safety improvements, and the funding constraints in the current fiscal year, the Department requested that alternative funding be secured and programmed through the Bureau of Local Roads. The Village has concurred with this request.

The Village also requested that LED street signs be installed at all three intersections of this project. The Village is responsible for 100% of the installation and maintenance costs for the LED street signs. Funding would need to be secured in the same manner as the roadway lighting. The estimated cost for these signs is \$51,750, including a 15% engineering fee.

Utility Relocation

Public utilities, installed in the highway right-of-way via permit and requiring relocation, will be relocated at no expense to the Department. The Village will be responsible for relocation of its facilities in conflict with the IL 72 improvements. Facilities subject to the previously stated condition may include, but may not be limited to, watermain and fire hydrants as well as storm, sanitary, and/or combined sewers. Our investigation of the utility information that was provided to the Department in Phase I indicate no apparent Village utility conflicts. However, a more detailed study of conflicts will be initiated during Phase II, contract plan preparation.

Summary of Estimated Costs

The estimated total cost responsibility for the Village, based on the available information collected during the Phase I process is approximately \$468,136 as outlined in the following table. This does not include the cost of utilities, which should be pursued independently by the Village.

Improvement	Village Cost	Engineering Fee (15%)	Total Village Cost
Traffic Signal Replacement	\$10,000	\$1,500	\$11,500
Emergency Vehicle Pre-emption Devices	\$18,000	\$2,700	\$20,700
Shared-use path	\$19,075	\$2,861	\$21,936
LED Roadway Lighting	\$315,000	\$ 47,250	\$362,250
LED Street Signs (10)	\$45,000	\$6,750	\$51,750
Total Village Costs			\$468,136

At the end of this Letter of Intent, there is an area where you can state your concurrence to the cost participation items outlined above. This Letter of Intent will be used as a basis during Phase II, contract plan preparation, to develop a project agreement between the Village and the Department. Please return an original signed copy of this letter within 90 days so we may maintain our project schedule.

The Honorable Craig B. Johnson
August 18, 2016
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If you have any questions or need additional information, please contact
Kimberly Murphy, Consultant Studies Unit Head, at (847) 705-4791.

Very truly yours,



John Fortmann, P.E.
Region One Engineer

Attachments

cc: Raymond R. Rummel
Vito P. Sammarco
Richard J. Mikel

bcc: John Fortmann
Jose Rios
Ken Eng
Jose Dominguez
Lisa Heaven-Baum
Brian Carlson
File

Prepared By: Kimberly Murphy (Extension 4791)
Bureau of Programming

S:\WP\p&es\CONSULT\Projects - Active\IL 72_83 IL 72(N) to IL 72(S) Including IL
83\Correspondence\LOI\2016-07-21 LTR IL 72 Oakton LOI.docx

Project and Environmental Studies
IL 72 at IL 83
Cook County

Concur with project scope:

Yes
 No

Concur with traffic signal scope and costs:

Yes
 No

Concur with EVP devices scope, costs, and long-term maintenance:

Yes
 No

Concur with shared-use path scope, costs, and long-term maintenance:

Yes
 No

Concur with sidewalk path scope, costs, and long-term maintenance:

Yes
 No

Concur with LED roadway lighting scope, costs, and long-term maintenance:

Yes
 No

Concur with LED street signs scope, costs, and long-term maintenance:

Yes
 No

Name: Craig B. Johnson

Signature: _____

Title: Mayor

Date: _____

Comments:

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE AN ANNEXATION AGREEMENT BETWEEN THE VILLAGE OF ELK GROVE VILLAGE AND LPC EGV I, LLC OF PROPERTY TO BE ANNEXED TO THE VILLAGE (ROPPOLO SUBDIVISION)

WHEREAS, on September 10, 2019, a public hearing was held pursuant to Section 65 ILCS 5/11-15.1 et. seq. of the Illinois Municipal Code to consider the approval of an Annexation Agreement between the Village of Elk Grove Village and LPC EGV I, LLC of property to be annexed to the Village; and

WHEREAS, as a result of the testimony and evidence presented at said public hearing, the Mayor and Board of Trustees of the Village of Elk Grove Village find and believe it to be in the best interest of the Village that the Annexation Agreement between the Village and LPC EGV I, LLC be approved.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, State of Illinois as follows:

Section 1: That the Mayor be and is hereby authorized to sign an Annexation Agreement between the Village of Elk Grove Village and LPC EGV I, LLC which is available in the Village Clerk's Office and the Village Clerk is authorized to attest said document upon the signature of the Mayor.

Section 2: That this Resolution shall be in full force and effect from and after its passage and approval according to law.

VOTE: AYES _____ NAYS: _____ ABSENT: _____

PASSED this _____ day of _____ 2019.

APPROVED this _____ day of _____ 2019.

APPROVED:

**Mayor Craig B. Johnson
Village of Elk Grove Village**

ATTEST:

Loretta M. Murphy, Village Clerk

RF5Koppolo Annex Agree