

ORDINANCE NO. 62-2000

AN ORDINANCE proposing approval of a Redevelopment Plan and Project for and the designation of the Route 83/Thorndale Avenue Redevelopment Project Area and the adoption of tax increment allocation financing therefor, convening a joint review board and calling a public hearing in connection therewith.

WHEREAS, pursuant to the Tax Increment Allocation Redevelopment Act, as supplemented and amended (the "Act"), the President and Board of Trustees (the "Corporate Authorities ") of the Village of Bensenville, DuPage and Cook Counties, Illinois (the "Village"), hereby determine that it is advisable and in the best interests of the Village and certain affected taxing districts that the Village approve a redevelopment plan (the "Redevelopment Plan") and project (the "Project") for and designate a redevelopment project area to be known as the Route 83/Thorndale Avenue Redevelopment Project Area (the "Redevelopment Project Area") as further described in Exhibit A attached hereto and that the Village adopt tax increment allocation financing for the Redevelopment Project Area; and

WHEREAS, the Act requires the Village to conduct a public hearing and convene a joint review board prior to the adoption of an ordinance approving a redevelopment plan and project, designating a redevelopment project area, and adopting tax increment allocation financing therefor, at which hearing any interested person or affected taxing district may file with the Village Clerk written objections to and may be heard orally with respect to the proposed Redevelopment Plan and Project; and

WHEREAS, the Act further requires that such joint review board consist of a representative selected by each community college district, local elementary school district and high school district or each local community unit school district, park district, library district, township, fire protection district and county that will have the authority to directly levy taxes on the property within the proposed Redevelopment Project Area at the time that the proposed Redevelopment Project Area is approved, a representative selected by the Village and a public member to consider the subject matter of the public hearing; and

WHEREAS, the Act further requires that the time and place of such public hearing be fixed by ordinance or resolution adopted by the Corporate Authorities; and

WHEREAS, the Act further requires that prior to adopting such ordinance or resolution fixing the time and place of a public hearing, the Village must make available for public inspection a redevelopment plan or a separate report that provides in reasonable detail the basis for the proposed Redevelopment Project Area's qualifying as a "blighted area" under the Act; and

WHEREAS, the firm of Camiros, Ltd., has conducted an eligibility survey of the proposed Redevelopment Project Area and has prepared its report (the "Report") that said proposed area qualifies as a "blighted area" as defined in the Act, which survey and findings have been presented to the Corporate Authorities and are now on file in the official files and records of the Village; and

WHEREAS, the Act further requires that the Village create an "interested parties" registry for activities related to the Redevelopment Project Area, and adopt reasonable registration rules and prescribe the necessary forms for residents and organizations active within the Village that seek to be placed on the "interested parties" registry; and

WHEREAS, the Act further requires that the Village shall print in a newspaper of general circulation within the Village a notice that interested persons may register with the Village in order to receive information on the proposed designation of the Redevelopment Project Area or the approval of the Redevelopment Plan, and further that the Village send notice of the availability of the Redevelopment Plan and the Report by mail, within a reasonable time after the adoption of this ordinance, to all residents within the postal zip code area or areas contained in whole or in part within the proposed Redevelopment Project Area and organizations that have placed themselves on the "interested parties" registry with the Village; and

WHEREAS, the Report has heretofore been on file and available for public inspection in the offices of the Village Clerk as required under the Act; and

WHEREAS, the Act requires that notice of the public hearing be given by publication and mailing; and

WHEREAS, the Corporate Authorities have heretofore and it hereby is determined that it is advisable to hold a public hearing and convene a joint review board to consider the proposed approval of the Plan and Project:

NOW THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois, as follows:

Section 1. Redevelopment Plan and Project Proposed. The approval of the Redevelopment Plan and Project, the designation of the Redevelopment Project Area and the adoption of tax increment allocation financing therefor are hereby proposed.

Section 2. Time and Place of Public Hearing Fixed. A public hearing (the "Hearing") shall be held by the President and Board of Trustees of the Village at 7:30 o'clock P.M. on the 6th day of February, 2001 at the Village Hall, 700 West Irving Park Road, Bensenville, Illinois, for the purpose of hearing from any interested persons or affected taxing districts regarding the proposed approval of the Redevelopment Plan and Project, designation of the Redevelopment Project Area, and adoption of tax increment allocation financing therefor.

Section 3. Publication of Notice of Hearing Authorized. Notice of the Hearing, substantially in the form attached hereto as *Exhibit B*, shall be published at least twice, the first publication to be not more than 30 nor less than 10 days prior to the Hearing, in a newspaper of general circulation within the taxing districts having property in the Redevelopment Project Area.

Section 4. Mailing of Notice of Hearing Authorized. Notice shall be mailed by certified mail not less than 10 days prior to the date set for the Hearing, addressed to the person or persons in whose name the general

taxes for the last preceding year were paid on each lot, block, tract or parcel of land lying within the Redevelopment Project Area. In the event taxes for the last preceding year were not paid, the notice shall also be sent to the persons last listed on the tax rolls within the preceding three years as the owners of such property. Notice shall also be given by certified mail to all taxing districts of which taxable property is included in the Redevelopment Project Area and to the Illinois Department of Commerce and Community Affairs not less than 45 days prior to the Hearing, and such notice shall also include an invitation to each taxing district and the Illinois Department of Commerce and Community Affairs to submit written comments prior to the date of the Hearing to the Village, to the attention of the Village Clerk, 700 West Irving Park Road, Bensenville, Illinois 60106, concerning the subject matter of the Hearing. Each such mailed notice shall include a copy of the Report, the name of an appropriate person to contact for additional information, and a copy of the proposed Redevelopment Plan.

Section 5. Interested Parties Registry; Notice; Public Inspection of Redevelopment Plan. (a) The Village hereby creates the Route 83/Thorndale Interested Parties Registry for activities related to the Redevelopment Project Area and hereby authorizes the Village Clerk or the Deputy Village Clerk to administer the Registry. The Village hereby adopts the registration rules contained in Exhibit C in connection with the Registry, and delegates authority to the Village Clerk or the Deputy Village Clerk to amend the registration rules, and adopt such additional reasonable registration rules, from time to time in compliance with the Act as is necessary or convenient for the administration of the Registry, and further to prescribe the necessary registration forms in compliance with the Act in connection with the administration of the Registry.

(b) The Village shall print in a newspaper of general circulation within the Village a notice that interested persons may register in the Registry with the Village in order to receive information on the proposed designation of the

Redevelopment Project Area or the approval of the Redevelopment Plan. The Village shall send notice of the availability of the Redevelopment Plan and the Report by mail, within a reasonable time after the adoption of this ordinance, to all residents within the postal zip code area or areas contained in whole or in part within the proposed Redevelopment Project Area and those persons and organizations that have placed themselves on the Registry with the Village.

(c) A draft of the Redevelopment Plan shall be placed on file at the offices of the Village no later than December 20, 2000, being a date not less than 45 days prior to the date of the Meeting.

Section 6. Joint Review Board Convened. A joint review board as set forth in the Act is hereby convened and the board shall meet, review such document and issue such report as set forth in the Act. The first meeting of said joint review board shall be held at 10:30 A.M. on the 10 th day of January, 2001, at 700 West Irving Park Road, Bensenville, Illinois.

Section 7. Superseder; Effective Date. All ordinances, resolutions, motions or orders in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed. This Ordinance shall become effective upon its adoption.

PASSED this 19th day of December, 2000.

APPROVED THIS 19th day of December, 2000.



John C. Gells
Village President

ATTEST:



Lynn D. Dubman,
Deputy Village Clerk

AYES: Basso, Kervin, Strandt, Tralewski, Walberg, Wanzung

NAYS: None

ABSENT: None

EXHIBIT A

Legal Description of Route 83/Thorndale Avenue Redevelopment Project Area

(SEE LEGAL DESCRIPTION ATTACHED)

ROUTE 83/THORNDALE AVENUE TIF

ALL THAT PART OF SECTIONS 2 AND 3 IN TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN BOUNDED AND DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2 IN O'HARE WEST, A SUBDIVISION IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 2 TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID SOUTHWEST CORNER BEING ALSO ON THE EAST LINE OF ROBERT KINGERY HIGHWAY (ILLINOIS ROUTE 83);

THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 2 IN O'HARE WEST AND ALONG THE SOUTH LINE OF LOT 3 IN SAID O'HARE WEST TO THE SOUTHEAST CORNER OF SAID LOT 3, SAID SOUTHEAST CORNER OF LOT 3 BEING ALSO A POINT ON THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 2 TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN;

THENCE SOUTH ALONG SAID EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 2 TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN TO THE NORTHEAST CORNER OF LOT 3 IN O'HARE WEST INDUSTRIAL PLAZA, A SUBDIVISION EXTENDING INTO THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 2 TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN;

THENCE WEST ALONG THE NORTH LINE OF SAID LOT 3 IN O'HARE WEST INDUSTRIAL PLAZA AND ALONG THE NORTH LINE OF LOTS 2 AND 1 IN SAID O'HARE WEST INDUSTRIAL PLAZA AND ALONG THE WESTERLY EXTENSION THEREOF TO THE WEST LINE OF ROBERT KINGERY HIGHWAY (ILLINOIS ROUTE 83);

THENCE NORTH ALONG SAID WEST LINE OF ROBERT KINGERY HIGHWAY (ILLINOIS ROUTE 83) TO THE SOUTHEAST CORNER OF THE REMNANT OF LOT 1 IN THE HERETOFORE PARTIALLY VACATED THORNDALE BUSINESS PARK IN WOOD DALE UNIT 2, A SUBDIVISION IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID REMNANT OF LOT 1 IN THE HERETOFORE PARTIALLY VACATED THORNDALE BUSINESS PARK IN WOOD DALE UNIT 2 BEING A PARCEL OF PROPERTY BEARING PIN 03-03-403-012;

Chicago Guarantee Survey Co.
601 S. LaSalle St., Suite 400, Chicago, Il., 60605
Ordered by: Camiros

Date: December 15, 2000
Order No. 0012013

THENCE WEST ALONG THE SOUTH LINE OF SAID REMNANT OF LOT 1 IN THE HERETOFORE PARTIALLY VACATED THORNDALE BUSINESS PARK IN WOOD DALE UNIT 2 TO THE WEST LINE THEREOF;

THENCE NORTH ALONG SAID WEST LINE OF THE REMNANT OF LOT 1 IN THE HERETOFORE PARTIALLY VACATED THORNDALE BUSINESS PARK IN WOOD DALE UNIT 2 TO THE SOUTH LINE OF THORNDALE AVENUE;

THENCE WEST ALONG SAID SOUTH LINE OF THORNDALE AVENUE TO THE SOUTHERLY EXTENSION OF THE EAST LINE OF THE PARCEL OF PROPERTY BEARING PIN 03-03-400-022;

THENCE NORTH ALONG SAID SOUTHERLY EXTENSION AND THE EAST LINE OF THE PARCEL OF PROPERTY BEARING PIN 03-03-400-022 AND ALONG THE EAST LINE OF LOT 32 IN THE HERETOFORE PARTIALLY VACATED ELK GROVE INDUSTRIAL PARK UNIT 13, A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN TO THE NORTHEAST CORNER OF SAID LOT 32;

THENCE CONTINUING NORTH ALONG THE EAST LINE OF LOT "A" IN THE HERETOFORE PARTIALLY VACATED ELK GROVE INDUSTRIAL PARK UNIT 18, A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN AND ALONG THE EAST LINE OF LOT 1 IN ELK GROVE INDUSTRIAL PARK RESUBDIVISION NO. 1, A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN TO THE NORTHEAST CORNER OF SAID LOT 1;

THENCE CONTINUING NORTH ALONG THE EAST LINE OF LOT 6 IN E. S. JODA SUBDIVISION UNIT 2, A SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN AND ALONG THE EAST LINE OF LOT 7 IN E. S. JODA SUBDIVISION UNIT 3, A SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN AND ALONG THE EAST LINE OF LOTS 5 AND 4 IN E. S. JODA SUBDIVISION, A SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN TO THE SOUTH LINE OF MARK STREET;

THENCE NORTH ALONG A STRAIGHT LINE TO THE SOUTHWEST CORNER OF LOT 1 IN THORNDALE BUSINESS PARK, A SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN;

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THENCE NORTH ALONG THE WEST LINE OF SAID LOT 1 IN THORNDALE BUSINESS PARK TO THE NORTH LINE OF SAID LOT 1;

THENCE EAST ALONG SAID NORTH LINE OF LOT 1 IN THORNDALE BUSINESS PARK AND ALONG THE NORTH LINE OF LOTS 2 AND 3 IN SAID THORNDALE BUSINESS PARK AND ALONG THE EASTERLY EXTENSION THEREOF TO THE EAST LINE OF ROBERT KINGERY HIGHWAY (ILLINOIS ROUTE 83);

THENCE SOUTH ALONG SAID EAST LINE OF ROBERT KINGERY HIGHWAY (ILLINOIS ROUTE 83) TO THE POINT OF BEGINNING, ALL IN THE VILLAGE OF BENSENVILLE, DU PAGE COUNTY, ILLINOIS.

CONTAINING IN THE AGGREGATE APPROXIMATELY 106 ACRES OF LAND, MORE OR LESS.

NOTE: THE ACREAGE SHOWN HERE WAS PROTRACTED FROM ASSESSOR'S MAPS AND HAS NOT BEEN FIELD VERIFIED.

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EXHIBIT B

NOTICE OF PUBLIC HEARING
VILLAGE OF BENSENVILLE, DUPAGE AND COOK COUNTIES, ILLINOIS PROPOSED ROUTE
83/THORNDALE AVENUE REDEVELOPMENT PROJECT AREA

Notice is hereby given that on February 6, 2001, at 7:30 P.M. at the Village Hall, 700 West Irving Park Road, Bensenville, Illinois, a public hearing will be held to consider the approval of the proposed redevelopment plan (the "Redevelopment Plan") and the designation of that certain proposed redevelopment project area to be known as the Route 83/Thorndale Avenue Redevelopment Project Area (the "Redevelopment Project Area"). The Redevelopment Project Area consists of the territory legally described as follows:

(SEE LEGAL DESCRIPTION ATTACHED)

There will be considered at the hearing approval of the Redevelopment Plan and Project for and the designation of the Redevelopment Project Area and adoption of tax increment allocation financing therefor. The proposed Redevelopment Plan and Project is on file and available for public inspection at the Office of the Village Clerk at 700 West Irving Park Road, Bensenville, Illinois. Pursuant to the Redevelopment Plan and Project, the Village proposes to alleviate blighting conditions in the Redevelopment Project Area and to enhance the tax base of the Village and the taxing districts having taxable property within the Redevelopment Project Area by optimizing diversification among commerce, industry and office development to aid stability and provide opportunities for new business and employment, as well as to provide and/or improve public infrastructure and facilities to complement and attract private sector investment.

Prior to the date of the hearing, each taxing district having property in the Redevelopment Project Area and the Illinois Department of Commerce and Community Affairs may submit written comments to the Village, to the attention of the Village Clerk, 700 West Irving Park Road, Bensenville, Illinois 60106.

There is hereby convened a joint review board to consider the proposed Redevelopment Plan and Project for and the designation of the Redevelopment Project Area and the adoption of tax increment allocation financing therefor. The joint review board shall consist of a representative selected by each affected taxing district that has authority to directly levy taxes on the property within the Redevelopment Project Area, a representative selected by the Village, and a public member. The first meeting of said joint review board shall be held at 10:30 A.M. on the 10th of January, 2001, at 700 West Irving Park Road, Bensenville, Illinois.

At the hearing, all interested persons or affected taxing districts may file written objections with the Village Clerk and may be heard orally with respect to any issues regarding the approval of the Redevelopment Plan and Project for and the designation of the Redevelopment Project Area and the adoption of tax increment allocation financing therefor. The hearing may be adjourned by the President and Board of Trustees of the Village without further notice other than a motion to be entered upon the minutes of the hearing fixing the time and place of the subsequent hearing. Interested persons may register with the Bensenville Village Clerk, Monday through Friday, during the hours of 8:00 a.m. to 4:30 p.m., at the Bensenville Village Hall, 700 W. Irving Park Road, Bensenville, Illinois 60106 in order to receive information on the proposed designation of a redevelopment project area or the approval of a redevelopment plan.

Village Clerk
Village of Bensenville
DuPage and Cook Counties,
Illinois

ROUTE 83/THORNDALE AVENUE TIF

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THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 2 IN O'HARE WEST AND ALONG THE SOUTH LINE OF LOT 3 IN SAID O'HARE WEST TO THE SOUTHEAST CORNER OF SAID LOT 3, SAID SOUTHEAST CORNER OF LOT 3 BEING ALSO A POINT ON THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 2 TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN;

THENCE SOUTH ALONG SAID EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 2 TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN TO THE NORTHEAST CORNER OF LOT 3 IN O'HARE WEST INDUSTRIAL PLAZA, A SUBDIVISION EXTENDING INTO THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 2 TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN;

THENCE WEST ALONG THE NORTH LINE OF SAID LOT 3 IN O'HARE WEST INDUSTRIAL PLAZA AND ALONG THE NORTH LINE OF LOTS 2 AND 1 IN SAID O'HARE WEST INDUSTRIAL PLAZA AND ALONG THE WESTERLY EXTENSION THEREOF TO THE WEST LINE OF ROBERT KINGERY HIGHWAY (ILLINOIS ROUTE 83);

THENCE NORTH ALONG SAID WEST LINE OF ROBERT KINGERY HIGHWAY (ILLINOIS ROUTE 83) TO THE SOUTHEAST CORNER OF THE REMNANT OF LOT 1 IN THE HERETOFORE PARTIALLY VACATED THORNDALE BUSINESS PARK IN WOOD DALE UNIT 2, A SUBDIVISION IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID REMNANT OF LOT 1 IN THE HERETOFORE PARTIALLY VACATED THORNDALE BUSINESS PARK IN WOOD DALE UNIT 2 BEING A PARCEL OF PROPERTY BEARING PIN 03-03-403-012;

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THENCE CONTINUING NORTH ALONG THE EAST LINE OF LOT "A" IN THE HERETOFORE PARTIALLY VACATED ELK GROVE INDUSTRIAL PARK UNIT 18, A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN AND ALONG THE EAST LINE OF LOT 1 IN ELK GROVE INDUSTRIAL PARK RESUBDIVISION NO. 1, A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN TO THE NORTHEAST CORNER OF SAID LOT 1;

THENCE CONTINUING NORTH ALONG THE EAST LINE OF LOT 6 IN E. S. JODA SUBDIVISION UNIT 2, A SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN AND ALONG THE EAST LINE OF LOT 7 IN E. S. JODA SUBDIVISION UNIT 3, A SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN AND ALONG THE EAST LINE OF LOTS 5 AND 4 IN E. S. JODA SUBDIVISION, A SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN TO THE SOUTH LINE OF MARK STREET;

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EXHIBIT C

RULES FOR ROUTE 83/THORNDALE INTERESTED PARTIES REGISTRY

1. Each interested party shall legibly complete a registration form containing their full name (including contact name if an organization) and complete mailing address and shall provide such registration form to the Village Clerk. The registration forms shall be available at the office of the Village Clerk during its regular business hours.
2. Once duly registered, no party shall be terminated from the registry due to the lapse of time.
3. Any interested party may amend its mailing address by completing a new registration form, indicating thereon that it contains a change of address, and providing such new registration form to the Village Clerk. It shall be the responsibility of each interested party to timely advise the Village Clerk of any changes in its mailing address.

EXHIBIT D

TAXING DISTRICTS

Village of Bensenville
DuPage County
DuPage County Forest Preserve District
Dupage County Airport Authority
Addison Township
High School District 100
College of DuPage District 502
Bensenville Park District
Bensenville Library District
Grade School District 2
Wood Dale Park District
Wood Dale Library District
Grade School District 7