

**VILLAGE OF LAKEWOOD  
PUBLIC HEARING  
BEFORE THE BOARD OF TRUSTEES  
AGENDA**

May 12, 2020  
7:00 p.m.

RedTail Golf Club  
7900 RedTail Drive  
Lakewood, IL

*This meeting will be held remotely using Zoom at this web address:*  
<https://us02web.zoom.us/j/82564204152?pwd=b3JlQVd2TnhmZVJ4eEpGSHVYbDNCZz09>

*Please enter the following information to join the meeting:*  
Meeting ID: 825 6420 4152  
Password: 240155

*Alternatively, visit [www.zoom.us](http://www.zoom.us) and click on Join Meeting. Enter Meeting ID in the space provided and click on Join.*

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**Please Note:** This meeting is being audio recorded at  
RedTail Golf Club, 7900 RedTail Drive,  
Village of Lakewood, IL

1. Roll Call - Establish Quorum
2. Confirmation of Publication of Proper Notice
3. Public Hearing: To consider a proposed amendment which would terminate and/or nullify the annexation and development agreement between the Village of Lakewood, as successor owner to the "Swanson Property", Crestwood Farms, 2013-1, LLC., successor owner to the "LeClair Property", Napier Partners, L.P., and McHenry County Sportsplex, LLC
4. Public Comments
5. Board Comments
6. Adjournment

SHAW MEDIA  
PO BOX 250  
CRYSTAL LAKE IL 60039-0250  
(815) 459-4040

ORDER CONFIRMATION (CONTINUED)

Salesperson: BARBARA BEHRENS

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**PUBLIC NOTICE**

Notice is hereby given that a hearing will be held before the President and Board of Trustees of the Village of Lakewood on Tuesday, May 12, 2020, at 7:00 p.m. at the Redfall Golf Club, 7900 Redfall Drive, Lakewood Illinois 60014. The purpose of the hearing is to consider a proposed amendment which would terminate and/or nullify the annexation and development agreement between the Village of Lakewood, as successor owner to the "Swanson Property", Crestwood Farms 2013-1, LLC, successor owner to the "LeClair Property", Napier Partners, L.P., and McHenry County Sportsplex, LLC (the "Agreement").

The property encompassed in the Agreement consists of the following parcels:

**THE SWANSON PARCEL**

Permanent Parcel Index Nos. 13-33-300-011; 13-33-300-014

With a common address of 11717 Pleasant Valley Road, Woodstock, Illinois 60096

With a legal description of:

PARCEL 1: THAT PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 44 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE CENTER LINE OF THE PUBLIC HIGHWAY COMMONLY KNOWN AS PLEASANT VALLEY ROAD (EXCEPTING AND RESERVING THEREFROM THAT PART THEREOF DEDICATED FOR HIGHWAY PURPOSES, THAT PART TAKEN BY CONDEMNATION PROCEEDINGS IN CASE NO. 71-2102, CIRCUIT COURT OF MCHENRY COUNTY, ILLINOIS, AND ALSO EXCEPTING AND RESERVING THEREFROM THAT PART THEREOF CONVEYED BY ALAN R. SWANSON AND WIFE TO FLOYD S. HAROLDSON AND WIFE, BY WARRANTY DEED DATED SEPTEMBER 8, 1972 AND RECORDED OCTOBER 18, 1972 AS DOCUMENT NO. 578955; AND ALSO EXCEPTING AND RESERVING THEREFROM THAT PART THEREOF CONVEYED BY ALAN R. SWANSON, A WIDOWER, TO DONALD A. SWANSON AND SUZANNE SWANSON, BY WARRANTY DEED DATED JULY 12, 1989 AND RECORDED JULY 17, 1989 AS DOCUMENT NO. 89R022879), IN MCHENRY COUNTY, ILLINOIS;

PARCEL 2: THAT PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 44 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTH HALF OF SAID SOUTHWEST QUARTER AND THENCE NORTH ON THE WEST LINE THEREOF 253.20 FEET; THENCE NORTH 80 DEGREES EAST, 815 FEET TO A POINT, FOR THE PLACE OF BEGINNING; THENCE NORTH 0 DEGREES EAST, 447.16 FEET TO THE CENTER LINE OF PLEASANT VALLEY ROAD; THENCE NORTH 81 DEGREES, 01 MINUTES AND 15 SECONDS EAST ON SAID CENTER LINE, 255.29 FEET; THENCE NORTH 75 DEGREES 32 MINUTES AND 35 SECONDS EAST ON SAID CENTER LINE 204.32 FEET; THENCE SOUTH 0 DEGREES WEST, 538.06 FEET; THENCE SOUTH 90 DEGREES WEST, 450.0 FEET TO THE PLACE OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS.

The "LeClair Parcel", Permanent Parcel Index No. 13-32-200-014, with a common address of 12512 Pleasant Valley Road, Woodstock, Illinois 60098 and the "Napier Parcel", Permanent Parcel Index Nos. 13-32-400-006 and 13-32-200-008, with a common address of 12317 Pleasant Valley Road, Woodstock, Illinois 60098, with a combined legal description as follows:

The East Half of the East Half of Section 32, Township 44 North, Range 7 East of the Third Principal Meridian lying South of the North right-of-way line of the Pleasant Valley Road, in McHenry County, Illinois. ALSO

The West Half of the Northeast Quarter of said Section 32, Township 44 North, Range 7 East of the Third Principal Meridian, (excepting therefrom that part thereof conveyed by Charles Steinke and Martha Steinke to Clarence R. Axelson and Shirley M. Axelson dated November 29, 1956 and recorded as Document No. 316460 lying South of the South right-of-way line of Pleasant Valley Road, also excepting and reserving therefrom that part thereof conveyed to Commonwealth Edison Company by Trustee's Deed dated August 27, 1998 and recorded September 4, 1998 as Document Nos. 1998R0059135 and 1998R0059136, more particularly described as follows: Beginning at the Northwest corner of the Northeast Quarter of said Section 32, thence North 89 degrees 55 minutes 00 seconds East, being an assumed bearing on the North Line of the Northeast Quarter of said Section 32, and distance of 1318.26 feet to the Northeast corner of the West Half of the Northeast Quarter of said Section 32, thence South 00 degrees 12 minutes 55 seconds East, on the East Line of the West Half of the Northeast Quarter of said Section 32, a distance of 927.47 feet to the North top of bank of a drainage ditch; thence North 84 degrees 17 minutes 44 seconds West along said North top of bank, 33.41 feet; thence South 79 degrees 16 minutes 18 seconds West, along said North top of bank 73.70 feet; thence South 70 degrees 58 minutes 33 seconds West, along said North top of bank, 353.73 feet; thence South 67 degrees 35 minutes 31 seconds West, along said North top of bank, 146.45 feet; thence South 75 degrees 39 minutes 27 seconds West, along said North top of bank, 184.24 feet thence South 88 degrees 10 minutes 39 seconds West, along said North top of bank, 71.23 feet; thence South 82 degrees 59 minutes 04 seconds West, along said North top of bank, 173.61 feet; thence North 55 degrees 24 minutes 25 seconds West, along said North top of bank, 67.49 feet; thence North 87 degrees 29 minutes 12 seconds West, along said North top of bank, 144.70 feet; thence North 50 degrees 57 minutes 32 seconds West, along said North top of bank, 104.92 feet; thence North 74 degrees 22 minutes 52 seconds West, along said North top of bank, 17.83 feet; thence South 75 degrees 19 minutes 44 seconds West, along said North top of bank, 20.81 feet; thence South 86 degrees 49 minutes 11 seconds West, along said North top of bank, 33.42 feet to a point in the West Line of the Northeast Quarter of said Section 32; thence North 00 degrees 07 minutes 56 seconds West, on the West Line of the Northeast Quarter of said Section 32, a distance of 1013.95 feet to the Place of Beginning), in McHenry County, Illinois. ALSO

Part of the West Half of the Southeast Quarter of Section 32, Township 44 North, Range 7 East of the Third Principal Meridian lying within the right-of-way of Hamilton Road, in McHenry County, Illinois.

A copy of the proposed amendment to the Agreement is available for public inspection in the Village Hall, 2500 Lake Avenue, during regular business hours. The amendment may change in substance and form prior to any adoption by the Village Board of the Village of Lakewood.

Janice S. Hanson, Clerk  
Village of Lakewood

(Published in the Northwest Herald on April 16, 2020) 1772086

## **ORDINANCE NO. 2020-(17)**

### ***An Ordinance Authorizing an Amendment to the Annexation and Development Incentive Agreement By and Between the Village of Lakewood, Napier Partners, LP, Patricia M. LeClair Revocable Trust, Donald Swanson and McHenry County Sportsplex, LLC***

WHEREAS, at its meeting of July 27, 2010, the President and Board of Trustees of the Village of Lakewood (the "Village"), McHenry County, Illinois, passed Ordinance No. 2010-65, *An Ordinance Authorizing Execution of an Annexation and Development Incentive Agreement Between the Village of Lakewood, Napier Partners, LP, Patricia M. LeClair Revocable Trust, Donald Swanson and McHenry County Sportsplex, LLC*; and

WHEREAS, paragraph 40 of such Agreement provides that the Agreement is effective upon the final acquisition of the "Entire Property" by the McHenry County Sportsplex, LLC, which has not occurred;

WHEREAS, the Village has since acquired the "Donald Swanson" parcel and intends to sell a portion of same to Lazar Brothers Enterprises, Inc.;

WHEREAS, Lazar Brothers Enterprises, Inc. has asked that the Agreement, which was recorded against all of the subject properties, be removed as an "exception" to title by the title company;

WHEREAS, the title company has offered to remove since same as an exception to title if the present property owners execute an amendment which would terminate and/or nullify the Agreement; and

WHEREAS, such proposed Amendment has been executed by the authorized agents of Napier, the Village, as well as Crestwood Farms 2013-1, LLC, as the successor owner to the "LeClair Property" as set forth in Exhibit A; and

WHEREAS, after conducting a public hearing on the proposed Amendment, the Village's corporate authorities believe that it is in the best interests of the Village that said Amendment be approved.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Lakewood, McHenry County, Illinois, as follows:

SECTION 1: The Amendment is hereby approved and the Village President's previous execution of same is hereby authorized and ratified as well as the attestation of his signature.

SECTION 2: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Voting Aye:

Voting Nay:

Absent:

Abstain:

APPROVED:

\_\_\_\_\_  
Village President Phil Stephan

(SEAL)

ATTEST: \_\_\_\_\_  
Village Clerk Janice S. Hansen

Passed: \_\_\_\_\_

Approved: \_\_\_\_\_

Published: \_\_\_\_\_

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