STATE OF ILLINOIS  
COUNTY OF DEKALB ) SS  
CITY OF DEKALB  

I, LYNN A. FAZEKAS, do hereby certify that I am the duly appointed City Clerk of the City of DeKalb, DeKalb County, Illinois, and as such officer, I am the keeper of the records and files of the City Council of said City.

I do further certify that the attached is a true and correct copy of:

ORDINANCE 2019-004

AUTHORIZING AMENDMENTS TO ORDINANCES 2002-045 AND 2002-046 TO ADD PERMITTED AND SPECIAL USES, AMEND THE SIGN REGULATIONS AND APPROVE A PLAT OF RESUBDIVISION FOR THE NORTHLAND PLAZA SHOPPING CENTER - SYCAMORE ROAD, DEKALB, ILLINOIS.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, on the 14th day of January 2019. The original will be kept on file at the City of DeKalb Municipal Building.

WITNESS my hand and the official seal of said City this 18th day of January 2019.

LYNN A. FAZEKAS, City Clerk

Prepared by and Return to:
City of DeKalb
City Clerk’s Office
200 S. Fourth Street
DeKalb, Illinois 60115
ORDINANCE 2019-004

PASSED: JANUARY 14, 2019

AUTHORIZING AMENDMENTS TO ORDINANCES 2002-045 AND 2002-046 TO ADD PERMITTED AND SPECIAL USES, AMEND THE SIGN REGULATIONS AND APPROVE A PLAT OF SUBDIVISION FOR THE NORTHLAND PLAZA SHOPPING CENTER - SYCAMORE ROAD, DEKALB, ILLINOIS.

WHEREAS, the City of DeKalb is a home-rule municipal corporation with all power and authority derived under the law; and

WHEREAS, the City has previously approved Ordinance 2002-045 and Ordinance 2002-046, approving rezoning to a Planned Development – Commercial ("PD-C") zoning and approving a final plan and final plat for the property described therein and commonly referred to as "Northland Plaza;" and

WHEREAS, B33 Northland Plaza, LLC has petitioned for approval of amendments to Ordinances 2002-045, approved June 10, 2002 and Ordinance 2002-046, approved June 10, 2002, to add permitted and special uses, amend the sign regulations and approve a Plat of Resubdivision for the Northland Plaza Shopping Center located along Sycamore Road and Barber Greene Road (herein referred to as the "Subject Property"); and

WHEREAS, pursuant to public notice and hearing, the City's Planning and Zoning Commission has made a positive recommendation to approve amendments to Ordinances 2002-045 and 2002-046 for Northland Plaza, to add permitted and special uses, amend the sign regulations and approve a plat of resubdivision contained herein; and

WHEREAS, the City Council expressly finds that the foregoing amendment is appropriate, meets all legally required standards, is subject to consideration following the provision of all required public notice and due process, and is agreeable to the City as modifications to Ordinances 2002-045 and 2002-046;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL of the City of DeKalb, Illinois:

SECTION 1. The recitals set forth in the preamble are hereby incorporated herein by reference and made part of this Ordinance.

SECTION 2. This Ordinance is limited and restricted to the Subject Property, legally described as follows:

PARCEL 1:
LOTS 1, 2 AND 3, IN NORTHLAND PLAZA RESUBDIVISION, BEING A RESUBDIVISION OF LOTS 101, 102 AND 103 IN NORTHLAND PLAZA SUBDIVISION
ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 17, 1986 IN BOOK "N" OF PLATS, PAGE 59, AS DOCUMENT NUMBER 330016, LOTS 1 THROUGH 12, BOTH, INCLUSIVE, IN CARL KLAGES SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 11, 1956 IN BOOK "J" OF PLATS, PAGE 29 AS DOCUMENT NUMBER 283590, 66-FOOT WIDE VACATED PUBLIC ROAD RECORDED MARCH 26, 2003 PLAT CABINET 9, SLIDE 54-B AS DOCUMENT NUMBER 2003008142, PART OF PARCEL "B" OF EMMA H. KLAGES FARM PLAT ACCORDING TO THE PLAT THEREOF RECORDED MARCH 16, 1964 IN BOOK "M" OF PLATS, PAGE 83 AS DOCUMENT NUMBER 320526 AND PART OF SECTION 12, ALL IN TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF NORTHLAND PLAZA RESUBDIVISION RECORDED MARCH 26, 2003 IN PLAT CABINET 9, AT SLIDE 54-C AS DOCUMENT NUMBER 2003008143, IN DEKalB COUNTY, ILLINOIS.

PARCEL 2:
THAT PART OF LOT 101 OF NORTHLAND PLAZA SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 40 NORTH, RANGE 4, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 101, SAID POINT BEING ON THE EASTERLY RIGHT OF WAY LINE OF ILLINOIS S.B. I. ROUTE 23, (DEKalB/SYCAMORE ROAD); THENCE NORTHERLY ALONG SAID EASTERLY RIGHT OF WAY LINE, SAID LINE BEING AN ARC OF A CURVE HAVING A RADIUS OF 4583.44 FEET, AN ARC DISTANCE OF 57.06 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED TRACT; THENCE EASTERLY PARALLEL WITH AND 55 FEET PERPENDICULARLY DISTANT FROM THE SOUTH LINE OF SAID LOT 101, A DISTANCE OF 337.57 FEET; THENCE NORTHERLY PERPENDICULAR TO THE LAST DESCRIBED COURSE, A DISTANCE OF 210 FEET; THENCE WESTERLY, PERPENDICULAR TO THE LAST DESCRIBED COURSE, A DISTANCE OF 286.36 TO THE WEST LINE OF SAID LOT 101, SAID LINE ALSO BEING THE EASTERLY RIGHT OF WAY SAID S.B.I ROUTE 23; THENCE SOUTHERLY ALONG SAID EASTERLY LINE, SAID LINE BEING AN ARC OF A CURVE HAVING A RADIUS OF 4583.44 FEET AND WHOSE CHORD FORMS AN ANGLE OF 103 DEGREES 43
SECTION 3. An amendment to the Planned Development Agreement approved via Ordinance 2002-045 to add a list of permitted and special uses for the Subject Property, as provided in Exhibit A is hereby approved.

SECTION 4. An amendment to the Planned Development Agreement approved via Ordinance 2002-045, Section 5.3(a) to allow an additional pylon-style shared sign near the north access onto Sycamore Road and limited to be a maximum of 30 feet in height and 290 square feet in size for the Subject Property, as shown on Exhibit B is hereby approved. Said sign shall only advertise tenants located in the multi-tenant building located at the east end of the subject site (Suites 2550 – 2478) and in the multi-tenant building near Barber Greene Road (Suites 2420-2428) as shown on Exhibit B. The two pylon-style shared signs along Sycamore Road shall not advertise the same tenants. Prior to construction of the additional pylon-style shared sign along Sycamore Road, a sign permit must be submitted with details and plans indicating the sign height and size, design, content and location including required landscaping at the base of the sign per Article 13.07 of the UDO. The sign shall have a similar design, as determined by the Community Development Director, to the existing pylon-style shared sign along Sycamore Road.

SECTION 5. An amendment to the Planned Development Agreement approved via Ordinance 2002-045, Section 5.3(b) to delete the language allowing separate 60 square feet monument-style signs for each of the “restaurant pad” sites and each of the “shops” sites as shown on the Preliminary Plan in the Ordinance and by allowing one monument-style shared sign near the south access to Sycamore Road on the Subject Property not to exceed 60 square feet and 11.5 feet in height is hereby approved.

SECTION 6. An amendment to Planned Development Agreement approved via Ordinance 2002-046 to approve a Plat of Resubdivision No. 2 for Northland Plaza dated December 17, 2018 prepared by National Survey Service, Inc. on the Subject Property as shown on Exhibit C is hereby approved subject to recording of easements providing for access from the lot on the Plat to public streets and for maintenance of the private roadways within the Subject Property.

SECTION 7. That each section, paragraph, sentence, clause and provision of each Ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of the ordinances, nor any part thereof, other than that part affected by such decision.

SECTION 8. Upon passage and approval according to law, these Ordinances shall by authority of the City Council be published in pamphlet form.

ATTEST:

LYNN A. FAZEKAS, City Clerk

JERRY SMITH, Mayor
PERMITTED USES

- Accessory Uses;
- Automobile parts and accessory stores;
- Auto title loan or post-dated check or payday loan facility or equivalent;
- Banks and other financial institutions, not including drive-through facilities;
- Bicycle stores; sales, rental, and repair;
- Blood and Plasma Donation Centers
- Catering establishments, including pizza delivery;
- Churches;
- Clothing and shoe stores; sales and repair;
- Clubs, lodges, meeting halls;
- Day care centers (compliant with IL State regulations), pre-schools, learning centers and after school facilities;
- Department, discount and variety stores;
- Drop-off cleaning establishments and laundries;
- Drug stores;
- Food stores and grocery stores; convenience stores (excluding motor fuel on the premises); meat markets and bakeries;
- Furniture stores with repair and re-upholstery only as an accessory use;
- Hardware stores;
- Household appliance stores, sales, service, and rental;
- Interior decorating stores, including carpet, paint, and wallpaper stores;
- Laundromats, self-serve;
- Medical and dental offices including medical clinics;
- Micro-Distillery;
- Musical instrument stores, sales and repair;
- Office supply stores;
- Offices and office buildings for accountants, bookkeepers, architects, engineers, planners, financial consultants, income tax preparers, insurance salespersons, lawyers, real estate salespersons, real estate brokers, real estate appraisers, and other similar type offices;
- Optical sales, examinations;
- Outdoor seating, service, dining and/or recreation areas accessory to any restaurant, bar, tavern, club, lodge or meeting hall subject site plan approval by the City pursuant to Article 17 of the UDO;
- Pet stores and animal grooming shops;
- Public buildings used by any department of the City, School District, Township, Park District, County, State, and Federal governments; except for vehicle maintenance, raw material storage and other similar type facilities.
- Radio and television stores, sales and service;
- Radio, television and recording studios;
- Recreation centers, health clubs, athletic clubs, and fitness centers;
- Restaurants (fast-food), but not including drive-through facilities;
• Restaurants, with or without alcohol;
• Schools for business, professional or technical training;
• Service facilities including barber shops and beauty shops; nail salons; copying and duplicating services; artists' studios; photographers; locksmith; shoe repair; tailors; music and dance instruction studios; phone stores; typing and stenography services; suntan parlors; travel agencies and ticketing offices; and other similar type uses.
• Specialty shops including antique shops; art and school supplies; bookstores; camera shops, including film developing; card and stationery shops; candy shops; florists; newspaper and magazine stores; gift and novelty shops; jewelry stores; pet shops; record shops; hobby shops; and other similar type uses;
• Sporting goods stores;
• Toy stores;
• Video sales and rental stores.

SPECIAL USES

• All permitted or special uses and developments which include drive-through facilities;
• Amusement establishments, but limited to bowling alleys, indoor skating rinks, swimming pools, video arcades, pinball and other similar non-gambling machine or table games (but specifically excluding activities involving the discharge of firearms, which are separately addressed herein as firing ranges);
• Animal boarding facilities;
• Animal hospitals and veterinary clinics;
• Automobile sales on property greater than three (3) acres that derives a majority of annual sales from new vehicles;
• Banquet halls;
• Bars, taverns, and package liquor stores;
• Car washes;
• Distillery;
• Dwelling units when located above the ground floor, with an allowed commercial use on the ground floor;
• Gasoline stations and any other establishments selling motor fuel on the premises, but not including vehicle repair;
• Group homes;
• Hospitals;
• Hotels and motels;
• Laboratories, medical, dental, research, and technical;
• Pawn shops;
• Public Utility Facilities;
• Retail tobacco stores (see Article 7.17 of the UDO);
• Self-service storage facility; interior unit access;
• Video gaming establishments.
5. New pylon sign
approximate location

New Pylon Sign Approximate Location

Exhibit B
ORDINANCE 02-45               Passed: June 10, 2002

REZONING PROPERTY KNOWN AS NORTHLAND SHOPPING CENTER FROM "GC" GENERAL COMMERCIAL AND "SFR-1" SINGLE FAMILY RESIDENTIAL, TO "PD-C" PLANNED DEVELOPMENT COMMERCIAL, AND APPROVING THE PRELIMINARY DEVELOPMENT PLAN FOR A RETAIL SHOPPING CENTER.

WHEREAS, Northland Plaza, L.L.C., developer, has submitted a petition to rezone the property located on the east side of Sycamore Road, north of Barber Greene Road, from "SFR-1" Single Family Residential and "GC" General Commercial, to "PD-C" Planned Development Commercial; and,

WHEREAS, said petition for rezoning included preliminary development plans for the property; and,

WHEREAS, a public hearing was held on the proposed rezoning, and the request was reviewed by the DeKalb Plan Commission at a public hearing held on September 12, 2001 and received its approval by a vote of 4-0-1 (Vedral absent), indicating that the request complies with the requirements and criteria set forth in the Unified Development Ordinance for a zoning map amendment, and the proposed rezoning is in conformance with the Development Plan Map and is compatible with adjacent land uses; now,

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL of the City of DeKalb, Illinois as follows:

Section 1. That the Official Zoning Map of the City of DeKalb shall be amended by deleting therefrom the "SFR-1" and "GC" zoning for property commonly known as Northland Plaza, and legally described in Exhibit "A", attached hereto and made a part of this Ordinance.

Section 2. That the Official Zoning Map shall be amended by adding subject property as "PD-C" Planned Development Commercial.

Section 3. That this change in the Official Zoning Map, although effective immediately, be made on the Official Zoning Map no later than March 31, 2003.

Section 4. That the Development Plan for Northland shopping center, attached hereto and made a part of this Ordinance as Exhibit "B", is also approved.

Section 5. That the approval of this Planned Development shall include the following conditions and restrictions:
1. That the plats and plans, as appropriate, be amended to include the changes and conditions outlined in Engineering Services Division Memo 2001-E070 and EMS/Fire Prevention Memo 01-42, and resubmitted for Staff review and approval prior to construction;

2. That the impervious site coverage be allowed up to 90%;

3. That the Sign Plan be allowed as outlined below:
   a) Two pylon-style shared shopping center signs are allowed, one near each signalized entry to the shopping center, not to exceed 290 square feet in area and not over 41 feet in height;
   b) One monument-style sign is allowed for each for the restaurant pads and one sign for each of the “Shops” buildings, which shall not exceed 11.5 feet in height nor 60 square feet in area;
   c) All monument and pylon signs shall match the architectural style diagrammed in the Sign Plan; have bases or skirting of not less than half of the width of the sign, and constructed of a material that matches the primary building materials for the building served;
   d) Wall signage on the easterly Phase 1 building only, to be allowed up to 1.5 square feet per lineal foot of building façade, due to its distance from the road, with no individual lettering exceeding 3 feet in height;
   e) The wall signs on the north, east and south side of the main building, the “Shops” and Restaurant buildings, and any buildings in Phase 2, shall be restricted to one square foot per lineal foot of building frontage;
   f) Any lots in Phase 2 shall be restricted to monument-style signage not exceeding 100 square feet in area, nor greater than 12 feet in height;
   g) All other wall or other signage on all other buildings shall not exceed the UDO requirements.

4. That the setbacks along Barber Greene Road for Phase 1 be a minimum of 25 feet, and the setback for the southerly “Shops” shall be a minimum of 10 feet from the unnamed right of way, all other setbacks shall comply with the “GC” General Commercial district regulations, and these setbacks shall be noted on the plat;

5. That the parking lot lighting standards shall be allowed up to 40 feet in height;

6. Drive through facilities are allowed, subject to Plan Commission review and approval of the final site plan for those facilities;

7. The architectural theme of the signage, buildings, and other site elements is approved, and that any changes or substantial variation to these shall require amendment to this Planned Development;

8. That outdoor dining and similar public use spaces shall be allowed;

9. That the developer provide a bus shelter in a location mutually agreeable between the developer and Huskie Line, and that the developer provide at least one bike rack in a centralized location;
10. That Phase 2 shall return to the Plan Commission and City Council as separate final plan, once development plans are known and prior to any construction of principal uses on that site;

11. That the north Route 23 access be reviewed to reduce potential vehicle conflicts;

12. That the uses allowed on this site shall consist primarily of retail uses, except that restaurants, banks, and other uses noted on the Plan shall be allowed. Any other uses or proposed buildings not shown on the Plan shall require an amendment to the Development Plan and this Ordinance in accordance with Article 5.13 of the UDO.

Section 6. All other provisions of the Unified Development Ordinance shall remain in full force and effect, and this Ordinance shall take effect upon its passage and approval according to Law.


ATTEST:

DONNA S. JOHNSON, City Clerk

GREG SPARROW, Mayor
OVERALL DEVELOPMENT

LOTS 101, 102 AND 103 OF NORTHLAND PLAZA SUBDIVISION, A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 40 NORTH, RANGE 4, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOFRecorded ON NOVEMBER 17, 1965 IN BOOK "N" OF PLATS, PAGE 59, AS DOCUMENT NUMBER 330015, DEKALB COUNTY, ILLINOIS (EXCEPTING THEREFROM THE FOLLOWING: PART OF LOT 101 OF NORTHLAND PLAZA SUBDIVISION, DESCRIBED AS FOLLOWS, TO WIT: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 101, SAID POINT BEING ON THE EASTERLY RIGHT OF WAY LINE OF ILLINOIS S.B.I. ROUTE 23 (DEKALB/SYCAMORE ROAD); THENCE NORTHERLY ALONG SAID EASTERLY RIGHT OF WAY LINE, SAID LINE BEING AN ARC OF A CURVE HAVING A RADIUS OF 4583.44 FEET AN ARC DISTANCE OF 57.06 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED TRACT; THENCE EASTERLY PARALLEL WITH AND 55.00 FEET PERPENDICULARLY DISTANT FROM THE SOUTH LINE OF SAID LOT 101, A DISTANCE OF 337.87 FEET; THENCE NORTHERLY PERPENDICULAR TO THE LAST DESCRIBED COURSE, A DISTANCE OF 210.00 FEET; THENCE WESTERLY, PERPENDICULAR TO THE LAST DESCRIBED COURSE, A DISTANCE OF 288.36 FEET TO THE WEST LINE OF SAID LOT 101, SAID LINE ALSO BEING THE EASTERLY RIGHT OF WAY OF SAID S.B.I. ROUTE 23; THENCE SOUTHERLY ALONG SAID EASTERLY LINE, SAID LINE BEING AN ARC OF A CURVE HAVING A RADIUS OF 4583.44 FEET AND WHOSE CHORD FORMS AN ANGLE OF 103 DEGREES 43 MINUTES 46 SECONDS AS MEASURED CLockwise FROM THE LAST DESCRIBED COURSE, AN ARC DISTANCE OF 216.20 FEET TO THE POINT OF BEGINNING).

ALSO

THAT PART OF LOT "B" OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 40 NORTH, RANGE 4, EAST OF THE THIRD PRINCIPAL MERIDIAN (SAID LOT "B" BEING AS SHOWN ON THE PARTITION PLAT OF COURT RECORD BOOK "N", PAGE 377 IN THE DEKALB COUNTY RECORDER'S OFFICE), DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE CENTERLINE OF ILLINOIS STATE ROUTE NO. 23 WITH THE NORTHERLY LINE OF SAID LOT "B" (BEING ALSO THE SOUTH LINE OF ASSSESSOR'S LOT 35 OF SAID SECTION 12); THENCE EASTERLY ALONG SAID NORTHERLY LINE TO THE EASTERLY LINE OF SAID ROUTE 23, BEING 60.0 FEET EASTIERLY OF AND CONCENTRIC WITH SAID CENTERLINE (MEASURED RADIALY THEREFROM); THENCE SOUTHWESTERLY ALONG SAID EASTERLY LINE, BEING A CURVE TO THE RIGHT HAVING A RADIUS OF 4583.44 FEET, 485.0 FEET TO THE MOST NORTHERLY, NORTHEASTERLY LINE EXTENDED OF LOT 101 IN NORTHLAND PLAZA SUBDIVISION, A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOFRecorded ON NOVEMBER 17, 1965 IN BOOK "N" OF PLATS, PAGE 59, AS DOCUMENT NO. 330015, FOR A POINT OF BEGINNING; THENCE SOUTHEASTERLY ALONG SAID MOST NORTHERLY, NORTHEASTERLY LINE EXTENDED 150.0 FEET; THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT, CONCENTRIC WITH SAID CENTERLINE HAVING A RADIUS OF 4733.44 FEET, 257.84 FEET TO THE MOST
SOUTHERLY, NORTHEASTERLY LINE OF SAID LOT 101; THENCE WESTERLY ALONG SAID MOST SOUTHERLY, NORTHEASTERLY LINE AND SAID LINE EXTENDED 210.0 FEET TO THE CENTERLINE OF SAID STATE ROUTE; THENCE NORTHEASTERLY ALONG SAID CENTERLINE, BEING A CURVE TO THE LEFT HAVING A RADIUS OF 4523.44 FEET, 246.31 FEET TO THE MOST NORTHERLY, NORTHEASTERLY LINE OF SAID LOT 101 EXTENDED WESTERLY; THENCE EASTERLY 60.0 FEET TO THE POINT OF BEGINNING, IN DEKALB COUNTY, ILLINOIS.

ALSO

THAT PART OF PARCEL "B" OF THE EMMA H. KLAGES FARM PLAT ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK "M" OF PLATS, PAGE 83, AS DOCUMENT NO. 320526, IN THE DEKALB COUNTY RECORDER'S OFFICE AND THAT PART OF LOT "B" OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, DEKALB COUNTY, ILLINOIS (SAID LOT "B" BEING AS SHOWN ON THE PARTITION PLAT OF COURT RECORD BOOK "N", PAGE 377 IN THE DEKALB COUNTY RECORDER'S OFFICE), ALL DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 101 OF NORTHLAND PLAZA SUBDIVISION, A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED ON NOVEMBER 17, 1965, IN BOOK "N" OF PLATS, PAGE 59, AS DOCUMENT NO. 330015; THENCE NORTHEASTERLY ALONG THE MOST NORTHERLY, NORTHEASTERLY LINE AND NORTHEASTERLY LINE EXTENDED OF SAID LOT 101, 775.77 FEET TO A POINT THAT IS 210.0 FEET SOUTHEASTERLY OF THE CENTERLINE OF ILLINOIS STATE ROUTE NO. 23 (MEASURED ALONG SAID NORTHEASTERLY LINE EXTENDED) FOR A POINT OF BEGINNING; THENCE CONTINUING NORTHEASTERLY ALONG SAID NORTHEASTERLY LINE EXTENDED 210.0 FEET TO THE CENTERLINE OF SAID STATE ROUTE; THENCE NORTHEASTERLY ALONG SAID CENTERLINE, BEING A CURVE TO THE LEFT HAVING A RADIUS OF 4523.44 FEET, 193.40 FEET; THENCE SOUTHEASTERLY 660.30 FEET TO A POINT ON THE EASTERLY LINE EXTENDED OF SAID LOT 101 THAT IS 300.0 FEET NORTHERLY OF THE NORTHEAST CORNER OF SAID LOT 101; THENCE SOUTHERLY ALONG SAID EASTERLY LINE EXTENDED 300.0 FEET TO SAID NORTHEAST CORNER; THENCE NORTHEASTERLY ALONG THE MOST NORTHERLY, NORTHEASTERLY LINE OF SAID LOT 101, 525.77 FEET TO AN ANGLE IN SAID NORTHEASTERLY LINE; THENCE SOUTHWESTERLY ALONG A NORTHEASTERLY LINE OF SAID LOT 101, 271.58 FEET TO AN ANGLE IN SAID NORTHEASTERLY LINE; THENCE NORTHEASTERLY ALONG THE MOST SOUTHERLY, NORTHEASTERLY LINE OF SAID LOT 101, 250.0 FEET TO A LINE DRAWN CONCENTRIC WITH SAID CENTERLINE FROM THE POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG SAID CONCENTRIC LINE, BEING A CURVE TO THE LEFT HAVING A RADIUS OF 4733.44 FEET, 257.84 FEET TO THE POINT OF BEGINNING, IN DEKALB COUNTY, ILLINOIS.

ALSO
LOTS 1 THROUGH 12, BOTH INCLUSIVE, AND THE EASTERNLY 66 FOOT WIDE TRACT OF LAND TAKEN FOR ROADWAY ALL IN CARL KLAGES SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 11, 1956, AS DOCUMENT NO. 253590, IN PLAT BOOK "J", PAGE 29, BEING A RESUBDIVISION OF PART OF LOT "B" IN COMMISSIONERS PLAT IN CASE NO. 8086, CIRCUIT COURT OF DEKALB COUNTY, ILLINOIS, ON PART OF SECTION 12, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DEKALB COUNTY, ILLINOIS.

PREPARED BY CWB
7/26/01
REV. 7/26/01 9:40am
Northland

Joseph Freed & Associates

ARCHITECTS & PLANNERS, INC.
EXHIBIT NO. 2.

LEGAL DESCRIPTION T.I.P. DISTRICT
CITY OF DEERFIELD, ILLINOIS.

That point in the Southeast Quarter of the Southwest Quarter of Section 12, Township 40 North, Range 4 East of the Third Principal Meridian, described as follows: Beginning at the intersection of the Southerly R.O.W. line of S.B.I. Route 23 with the Northerly R.O.W. line of Barbor Greene Road; thence Southeasterly along the Northerly R.O.W. line of Barber Greene Road to a point on the Southeasterly corner of Lot 5 of Fred C. Love's Subdivision of Assessor's Lot 62 on Section 12; thence Northerly on the Westerly lot line of said lot to the Northeast corner thereof; thence Southeasterly a distance of 100 feet to the Northeast corner thereof; thence Southwesterly along the Easterly lot line a distance of 300 feet to the Northerly R.O.W. line of Barber Greene Road; thence Southeasterly along said R.O.W. line a distance of 120 feet to a point which is 55 feet Northwesterly of and on a line which is parallel to the West line of Lot 1 of Carl Klages Subdivision; thence Northeastrly along said parallel line a distance of 142 feet to a point which is a Westerly extension of the North line of Carl Klages Subdivision; thence Easterly along said North line to a point on the Northeast corner of Lot 2; thence Southerly along the West line of Lot 2 and the Southerly extension thereof to the South R.O.W. line of Barber Greene Road; thence Southwesterly along said R.O.W. line 85 feet to a point; thence Northerly along a line that is an extension of the Easterly line of Lot 2 to the Northeast corner thereof; thence Southwesterly along the Northerly line of Carl Klages Subdivision to a point on the Northeast corner of Lot 5; thence Southwesterly along the East line of Lot 5 and the Southerly extension thereof to a point on the South line of Barber Greene Road; thence Southwesterly along the said South line a distance of 85 feet to a point that is a Southerly extension of the East line of Lot 6 of Carl Klages Subdivision; thence Northerly along said extension and the East line of Lot 6 to the Northeast corner thereof; thence Southwesterly along the Northerly line of Carl Klages Subdivision to a point on the Northeast corner of Lot 10; thence Southerly along the West lot line of Lot 10 to the Southwest corner thereof; thence Southwesterly along the South line of said Lot 10 to the Southeast corner; thence Northeastrly along the East line of Lot 10 to the Northeast corner; thence Southwesterly along the North line of Lot 11 to the Northeast corner thereof; thence Southwesterly along the West line of Lot 12 to the Southwest corner of said lot; thence Southwesterly along the South line to

TIP Legal

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the Southeast corner thereof; thence Northeasterly along said East lot line to a point which is the Northeast corner thereof, said point also being the Southeast corner of Northland Plaza Subdivision; thence continuing Northeasterly along Northland Plaza property line to the Northeast corner thereof; thence Northeasterly along the Northerly property line a distance of 457.5 feet to a point; thence Northeasterly to a point which is 300 feet Northerly of the North R.O.W. line of Northland Plaza Subdivision; thence Westerly along said Northerly line to a point on the Easterly R.O.W. line of S.B.I. Route 23 which is 200 feet Northerly of the Northwesterly corner of Fred C. Innes's Estate; thence Northerly along the Easterly R.O.W. line of said S.B.I. Route 23 to a point which is the Southwest corner of Assessor's lots of Section 12; (said point being also on the North line of Emma H. Klages Farm Plat; thence Northeasterly along the Easterly R.O.W. line of said Route 23 to the point of intersection of the said Easterly R.O.W. line with the Northerly R.O.W. line of a public road known as Bethany Road (said point also being the Southwest corner of the Golden Harvest Hotel property); thence Easterly along said line, a distance of 400 feet to the Southeast corner of said property; thence Northerly along the East property line a distance of 360.36 feet to a point on the Northeast corner of said property; thence Westerly along the North property line and a Westerly extension of said North line to a point on the Westerly R.O.W. line of S.B.I. Route 23; thence Southwesterly along said Westerly R.O.W. line to a point that intersects the South line of Lot 4 of Oaklands Subdivision; thence Westerly along the South line of said Oaklands Subdivision to the Southwest corner thereof; thence Northwesterly along the Westerly line of Oaklands Subdivision which is also the West line of Lot 8 of said subdivision to a point which is the Southwest corner of Lot 7 of Block One of Oaklands Subdivision; thence continuing Northwesterly along the West side of said Lot 7 to a point that is the Southerly boundary line of the road known as Oakland Place; thence Westerly along said Southerly boundary line to a point which is a Northerly extension of the West line of Emma H. Klages Farm Plat; thence Southerly along said extension and said West line to the Southwest corner of the Emma H. Klages Farm Plat; thence Southwesterly 786.94 feet along the Southwesterly line of Emma H. Klages Farm Plat to a point on the West line of S.B.I. Route 23; thence Southwesterly along the West property line of Route 23 a distance of 780.46 feet to a point; thence Westerly 299.3 feet to a point; thence Southwesterly 256 feet to a point; thence Southwesterly to a point on S.B.I. Route 23; thence Southwesterly along the Westerly R.O.W. line of said Route 23 to
a point that is a Wasterly extension of the Southerly R.O.W. line of a street
known as North Thirteenth Street; thence Southeasterly along said line and the
North Thirteenth Street R.O.W. to a point that is a Southerly extension of
the South line of Lot 6 of Parker's Subdivision of the City of Dekalb; thence
Northerly along said extension and said South Line to a point that is the
Northeasterly corner of said Lot 6; thence Northerly along the Easterly line of
Lot 6 a distance of 58.7 feet to a point that is the Southeast corner of Kents's
Subdivision; thence Northeasterly 342.4 feet along the East line of said sub-
division to a point; thence continuing Northeasterly along the East line of
Martin's Rem subdivision to a point on Dresser Road said point being 452.4 feet
Southeasterly from the Easterly R.O.W. line of S.B.I. 23; thence Southeasterly
along the Southerly R.O.W. line of Dresser Road to the point of intersection of
Sunrise Drive; thence Southeasterly along the Northerly R.O.W. line of Sunrise
Drive to the point of intersection of the West line of North Fifteenth Street;
thence Southerly along the Westerly R.O.W. line of North Fifteenth Street to the
North R.O.W. line of Clark Street; thence Wasterly on said North R.O.W. line of
Clark Street to the Wasterly R.O.W. line of North Fourteenth Street; thence
Southerly along said Westerly R.O.W. line to the intersection of North Fourteenth
Street and Market Street; thence Wasterly along the North R.O.W. line of Market
Street to the Easterly R.O.W. line of North Eighth Street; thence Northerly along
the Easterly R.O.W. line of North Eighth and North Seventh Streets to the South-
ernly line of Davy Street; thence Wasterly along said Southern line to the West
line of North Fourth Street; thence Northerly along the West line of North Fourth
Street to the intersection of North Fourth Street and Sycamore Road; thence
Northeasterly along the North line of Sycamore Road to the intersection of East
Hillcrest Drive; thence Northeasterly along the North R.O.W. line of Hillcrest
Drive to a point in the center of the Kishwaukee River; thence Southeasterly
along said centerline to the West R.O.W. line of North First Street; thence
Southeasterly along the West R.O.W. line of North First Street to the North
R.O.W. line of West Locust Street; thence Wasterly along said R.O.W. line to a
point on the East R.O.W. line of John Street; thence Southerly along said East
R.O.W. line to the Southeast corner of Lot 4, Block 2 of Spangenberg's Addition;
thence Southeasterly to a point on the Southeast corner of Lot 1, Block 2 of
Spangenberg's Addition which is also the East line of the Kishwaukee River;
thence Southerly along the East line of the Kishwaukee River to a point that is
an extension of the East line of the River and the South line of Gurler Street;

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thence Easterly along the South line of Garler Street to the intersection of Garler Street and the Easterly R.O.W. line of South First Street; thence Northerly along the said Easterly R.O.W. line to the Southerly R.O.W. line of Franklin Street; thence Easterly along said Southerly R.O.W. line of Franklin Street to the Easterly R.O.W. line of South Fourth Street; thence Northerly along the said Easterly R.O.W. line of South Fourth Street to the Southerly R.O.W. line of Grove Street; thence Southeasterly along the said R.O.W. line of Grove Street to a point where the Southerly R.O.W. line of Grove Street intersects the Easterly R.O.W. line of S. Seventh Street; thence Northeasterly along the said Easterly R.O.W. line to a point which is the Northeasterly Corner of Lot 5, Block 43 of the Original Town Subdivision of the City of DeKalb; thence Southeasterly along the Northerly line of said lot a distance of 156 feet to the Northeasterly Corner thereof; thence Southeasterly along the Easterly line and an extension of the Easterly line of said lot to a point on the Southerly line of Grove Street; thence Easterly along the said Southerly line to a point on the Easterly R.O.W. of S. Eighth Street; thence Northerly along the said Easterly R.O.W. line to the South R.O.W. line of East Lincoln Highway; thence Southeasterly along said Southerly R.O.W. line of East Lincoln Highway to a point which is 94 feet Westerly (measured perpendicularly) of the East Line of the Southwest Quarter of Section 24; thence Northerly along the West Line of Lot 60 of M.D. Shipman's Farm Plat to a point that is 95 feet South of the Southerly R.O.W. line of the Chicago & Northwestern Railroad, thence Northeasterly along said line 1186.63 feet to a point; thence Northwesterly a distance of 93.51 feet to the South R.O.W. line of said Railroad; thence Wasterly along said R.O.W. line a distance of 59.09 feet; thence Northerly along the Quarter Section line of Section 24 a distance of 100.32 feet to a point which is the Northerly R.O.W. line of the Chicago and Northwestern Railway Company; thence Southeasterly along said R.O.W. line to the point of intersection with the West R.O.W. line of a road known as the DeKalb East Road; thence Northerly along said R.O.W. line to a point that is 180 feet, more or less, from the Southerly R.O.W. line of Pleasant Street Road; thence Easterly parallel to and 180 feet Southerly of said R.O.W. line to the Easterly R.O.W. line of the DeKalb East Road; (said line being also the West R.O.W. line of the DeKalb Taylor Municipal Airport); thence Southeasterly along said R.O.W. line to the point of intersection with the South property line of the DeKalb Taylor Municipal Airport; thence Easterly along said South property line to a point on the West line of Section 19, Township 40 North, Range 5 East of the
Third Principal Meridian; thence Southerly along said Section line a distance of 333.3 feet to a point; thence Easterly at an angle of 89°17’11” a distance of 3186.27 feet to a point on the centerline of a Township road known as Loves Road; thence Northeasternly along said centerline 1176.46 feet to a point; thence Southwesterly at an angle of 90° a distance of 233 feet to a point; thence Northeasternly at an angle of 90° measured from the last described course, a distance of 108.90 feet; thence Northeasternly at an angle of 90° a distance of 233 feet to a point on the centerline of Loves Road; thence Northeasternly along said centerline a distance of 200 feet to a point; thence Easterly at angle of 134°02’18” a distance of 450.33 feet to a point; thence continuing Easterly 252.03 feet to a point; thence Northerly at an angle of 90° from the last described course 233.75 feet to a point in the centerline of Pleasant Street Road; thence Westerly along said centerline to a point on the West line of Section 19; thence Southerly along said section line 962 feet to a point on the North R.O.W. line of the DeKalb Taylor Municipal Airport; thence Westerly along said R.O.W. line to the point of intersection of the Airport property and the Southeast corner of the DeKalb Agriculture Association property; thence Northerly along said DeKalb Agriculture Association property to the Northerly R.O.W. line of Pleasant Street Road; thence Westerly along the Northerly R.O.W. line of Pleasant Street Road to the point of intersection with the Westerly R.O.W. line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence Northerly along said Westerly R.O.W. line a distance of 600 feet to a point; thence in a Northwesterly direction following the R.O.W. of the spur line of the Chicago, Milwaukee, St. Paul and Pacific Railroad a distance of 750 feet to a point which is on the East Line of the Northwest Quarter of the Northwest Quarter of Section 24; thence Northerly on said East Line to a point on the North line of Section 24 which is 1315.38 feet West of the Northeast corner of the Northwest Quarter of the Northwest Quarter of Section 24; thence Westerly on said North Line to a point which is the intersection with a line which is parallel to and 185 feet Southeasterly of Lots T & S of Guiler’s Subdivision; thence Northeasternly along said line a distance of 650 feet to a point; thence Northeasternly on a curve to the left, a distance of 503 feet having a radius of 800 feet, to a point; thence Northerly along the West R.O.W. line of the Chicago, Milwaukee, St. Paul and Pacific Railroad to the point of intersection with the Southerly R.O.W. line of S.E.R.T. Route 23; thence Northeasternly along the said Southerly R.O.W. line to the Place of Beginning.
Excepting therefrom the following described lands: Lot 2, Block 2, Andrew Peterson's Addition. Also: the East 65.1 feet of Lot 63 and the North 3 feet of Lot 64 of the County Clerk's Subdivision of Blocks 11, 12, 14 and 15 and the North 70 feet of Lot 12 of Vaughn's Subdivision. Also: the West 86 feet of the South 125 feet of Lot 54 of Block 12 of the County Clerk's Subdivision of Blocks 11, 12, 14 and 15. All properties described are within the Dekalb Corporate Limits.
Northland Plaza Presentation
to the
City Council of DeKalb
May 13, 2002

Thursday, May 09, 2002

Mayor Sparrow,
Members of the City Council and City Staff

City of DeKalb
223 S. Fourth St., Suite A
DeKalb, IL 60115

RE: TIF Proposal for Northland Plaza

Ladies and Gentlemen:

We respectfully submit our further revised proposal to you. Included in this package are materials that provide a substantial amount of information in support of our proposal and in response to your concerns and issues raised by you during the Public hearing of April 16th and thereafter.

As some of you may be aware, the International Council of Shopping Center Convention will begin on May 19th. We believe that it is imperative to go to this convention with the capability of entering into long-term commitments with retailers. We can accomplish this with an affirmative vote from you on this proposal. We, therefore, respectfully request your consideration on this matter and look forward to a cooperative and productive meeting with you on the 13th of May.

Very truly yours,
Joseph Freed and Associates, LLC

Thomas G. Kafkes
Development Director
Northland Plaza Presentation to the City Council of DeKalb May 13, 2002
Part One- Summary of Revised Proposal:

Developer proposes to change its program and TIF request as follows:

- The amount of TIF revenue-sharing over the remaining life of the TIF District (through 2013) will be $2.1 million maximum, as a Net Present Value, and not $2.9 million.
- Developer will present both executed leases and evidence that tenants are open for business at required levels before being reimbursed for eligible TIF expenses.
- Prospective tenants will be presented to the City for review and approval according to agreed-upon criteria.
Northland Plaza Presentation
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- Restrictions on grocery store operations in the Center will be established.
- The Development Fee for the project will be deferred until after project stabilization.
- The developer will personally guarantee the completion of the project in a manner similar to the guaranty given to its lender.
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Part Two: Benefits to the
City-Generated exclusively by
Northland Plaza

It is appropriate to reflect on how much tax increment is
projected to be generated and how it is proposed to be
used:

- In a typical year - say 2009 the redevelopment of
Northland Plaza itself will generate a projected
$1,881,000 in total increments.

- In that same year 2009, Northland Plaza is projected to
generate $524,000 in other tax increments that flow
directly to the General Fund. These increments from
Food/Bevage taxes, Utility taxes, the City's Home Rule
0.75% Sales Tax, constitute 28% of the $1.88 million in
total increments projected for 2009 and the $524,000 is
free and clear of all debt service and revenue sharing.

- Of those projected 2009 increments generated by Northland
Plaza, $1,357,000 (73% of the $1.88 million) would be TIF
crements, the use of which has been proposed by
Developer as follows:
  - $147,000 for 50% of the debt service on the G. O. Bond
    Issue for Regional Improvements (the other 50% comes
    from other Central Area TIF Increments). This amount
    is 8% of the $1.88M in total increments projected for
    2009.
  - $649,000 for debt service on the $3.5M TIF Revenue
    Bond for Project Improvements. This amount is 34% of
    the $1.88 million in total increments projected for
    2009.
  - $561,000 for Revenue Sharing. This amount is 30% of
    the $1.88 million in total increments produced in the
    year.
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• These increments would not exist but for the
  redevelopment of the Center, and no funds other than tax
  increment funds are proposed be used to support the
  redevelopment of Northland Plaza: no General Fund monies,
  or other City funds. In fact, of the $1,881,000 in
  projected increments for 2009, $361,000 or 19% would come
  in from the State of Illinois through the TIF program.
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The following are additional benefits to the City of DeKalb:

Improved Regional Facilities
- Increased capacity and improved appearance of Barber Greene Road for all surrounding properties.
- Improved and safer access to/from Barber Greene Road for all surrounding properties.
- Enhanced regional storm water management system and increased storm water drainage capacity for all surrounding properties.

Increased Convenience and Choice
- Potential capture of $150 million of sales leakage in a variety of categories not present in the market.
- Attract national retailers to facilitate a greater level of choice in the marketplace
- Shorter shopping trips for more goods/services
- Provide additional retail to facilitate and service present and future residential growth

Improved Appearance of Shopping Center
- Addition of perimeter and parking lot landscaping
- New and Modern Unified Architectural Theme
- New Parking Surface and parking lot lighting

Employment
- The Project will create numerous Construction and Permanent Jobs
Northland Plaza Presentation to the City Council of DeKalb May 13, 2002

Part Three: Detail of Developer's Revised Program Proposal

- On April 16, 2002 Developer presented its redevelopment concepts, site plan and financing program for Northland Plaza:
  - Construct $2.0 million Regional Improvement Program, TIF supported
  - Redevelop a 250,000 square foot unified retail center according to an approved plan with $6.4 million of TIF support
    - $3.5 million from TIF Revenue Bond
    - $2.9 million from TIF Revenue-sharing

The concepts presented have been discussed and shaped with City input over the last two years. Plans for on-site and regional improvements have been approved by Plan Commission. The financing program fit within the framework approved by the City of DeKalb Economic Development Commission (EDC).

- On April 16, 2002 (and since) Developer learned that the following issues and concerns remain:
  1. Above-average Project Costs
  2. Development Fee
  3. Who are the Tenants?
  4. Amount of TIF Revenue-sharing Support
  5. Is the Proposed Investment of TIF Funds Worthwhile and Worth the Risk?

- The Developer offers the following in response to the above issues and concerns:
Northland Plaza Presentation to the City Council of DeKalb May 13, 2002

- **Project Costs:**

The City's consultant - PGAV - observed that the projected costs for redevelopment of Northland Plaza were "...higher than (PGAV is) accustomed to seeing".

The Developer's plan for Northland Plaza, which has been approved by the Plan Commission, is designed to make the Center a 'state of the art' unified retail center. While much of the existing building mass would be razed, some will be retained. The redevelopment of a site with existing infrastructure to be replaced and new buildings blended with occupied buildings to-be-retained is a significantly more complex, a more costly and a more time-consuming undertaking than building an all-new center from the ground-up.

Such an undertaking requires extraordinary and special design and planning efforts and expenditures that drive both hard and soft costs higher:

- **Re-use of buildings and selected site improvements** requires special (and costly) design solutions and construction planning, selective or partial demolition, relocation of infrastructure, adjustments of existing spaces to accommodate new tenant requirements; adapting existing spaces to meet new code requirements, etc.

- **Environmental remediation costs**

- **Unanticipated conditions** were discovered in existing buildings and required additional design and additional costs.

- **Existing tenants must be accommodated during construction:** access and parking must be available at all times; tenant operations must not be disturbed by noise, dirt, vibration, etc. Often work must be performed sporadically and in off-hours (evenings and weekends).
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- Items including a coordinated, consistent architectural design of the façade, the extensive site landscaping, and the complete replacement of the parking areas, etc.
- Tenant Relocation Costs

The cost estimates for the project - hard and soft - have been provided by reputable third-party contractors and consultants based on the approved plans. Developer believes that, given the reasons cited above, they are reasonable.

- Development Fee

The Developer included a Development Fee in all of the project cost information provided to the City Staff and to the EDC. The fee is intended to reimburse the developer for salary expenses required to manage, organize, and execute a project from conception to stabilization (over a three year period).

PGAV suggested that the Development Fee may be deferred. The Developer agrees to defer the fee until project stabilization.
Who are the tenants?

- The developer has made the following progress on leasing:

  - Bed Bath and Beyond is in lease negotiations.
  - Panera Bread has signed a lease.
  - Elder-Beerman — a high-quality regional department store with 63 operating stores — is scheduled to consider final approval of the site at the end of the month after a site visit by the CEO this week.
  - J.C. Penney is in negotiation for a relocation and expansion.
  - Several other tenants are in serious negotiations.

- The developer's ability to proceed with these high quality retailers is dependent upon an affirmative vote in favor of this proposal.

- Significant additional progress can be made at the International Council of Shopping Center (ICSC) trade show, beginning on May 19, in Las Vegas only if the developer can confirm the reality of this redevelopment project with your approval of this proposal.

- The developer agrees to give the city controls on tenant selection to assure a continued quality development as promised. These controls include:

  - A review process through which the City would approve tenants for the Center in the way it now approves tenants for the County Home development.
  - Restrictions on grocery store development in the Center.
TIF Revenue-sharing Support

PGAV observed that the proposed project has a good funding ratio: every dollar of TIF proceeds proposed to be invested in the redevelopment of Northland Plaza by the City would stimulate or "leverage" $4.64 in private investment and that this ratio compared very favorably with the state-wide TIF program average of $4.00 of private investment leveraged and greatly exceeded the $2 - $3 leveraged in other economic development assistance programs in the State. In fact, the $4.64 is $5.45 with this revised proposal.

Developer presented information on the proposed revenue-sharing of up to $2.9 million (net present value) to be paid from increments generated from Northland Plaza over the next ten years (the end of the TIF District). This revenue-sharing represented the amount the Developer needed to balance the total financing for the redevelopment of the Center using its own funds (equity), private financing (loan proceeds) and TIF funds (public support) and to make a reasonable return (in this case approximately 8%, which is well below industry average).

Developer is prepared to adjust the amount of revenue sharing and to set the revenue sharing program as follows:

- Maximum Revenue-sharing amount: $2.1 million
  (reduced from $2.9 million)
  - Amount is stated as Net Present Value
  - Discount Rate: 8%
  - Maximum term: 10 years (until end of TIF District in 2013).
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o Is the Proposed Investment of TIF Funds 'Worthwhile and Worth the Risk' to the City?

- The City will receive significant benefits from Northland Plaza's incremental revenue as summarized in Part Two of this presentation.

- PGAV's report suggested that the City consider issuing TIF Notes rather than TIF Revenue Bonds for $3.5 million in Project Improvements.
  - Financing of the project would not be economically feasible without the $3.5 million in revenue bonds.

- PGAV identified the following concerns:
  - The Center may not be completed.
  - Tenants may not occupy the space.

- This proposal now provides the following protection in order to alleviate these risks. They are:
  - A completion guarantee will be provided to the City
  - The City will have approval of the tenants.
  - Developer's proposal for a TIF Bond Issue places debt service on all bonds in the first or superior position in terms of the expenditure of increments. Accordingly, no revenue sharing support would go to Developer until debt service on the bonds was paid. The degree of 'protection' is significant.
  - In addition, the Developer is prepared to offer additional protection on the issue of occupancy of space that will produce the necessary increments:
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- After the bond funds are available the Developer will have to present the following evidence before it can be reimbursed for eligible expenses from TIF bond proceeds:
  - For the first $2.5 million in reimbursement, leases must be executed (as previously agreed) and the tenants must be open for business for 40% of the leaseable area.
  - For the remaining $1.0 million in reimbursement, leases must be executed (as previously agreed) and the tenants must be open for business for 70% of the leaseable area.
Part Four: History of Redevelopment Proposals for Northland Plaza

Joseph Freed and Associates has always believed in the strength of the retail market in DeKalb. In 1996-1997 we pursued, with significant assistance and cooperation from the city, the development of a regional mall. That project did not go forward for several reasons, including withdrawal of a department store commitment. Then we purchased Northland Plaza in late 1999 and since have been in discussion about the future of Northland Plaza with city staff, the economic development commission and city council. The discussions have been regular and intense for the last two years.

We are good at what we do - Joseph Freed and Associates has grown and prospered. We have developed and redeveloped over eight million square feet of retail properties. Our developed centers have an occupancy rate in excess of 95%.

We have rigorously pursued our vision and goal: to deliver best possible facilities for shopping at Northland Plaza, which includes the best possible assemblage of retailers, a high quality, and integrated design for the entire center.

We have advocated a plan and program for redeveloping Northland Plaza which has been reviewed and approved through the Plan Commission. We’ve taken the financing program to the Economic Development Commission and revised it according to the EDC recommendations.
Northland Plaza Presentation to the City Council of DeKalb May 13, 2002

We’ve heard the admonition: "Don't use our tax dollars to support private development!" The only taxes proposed to be used in support of the redevelopment of Northland Plaza are those tax increments generated by the redevelopment of Northland Plaza.

In the future Northland Plaza will generate two categories of tax increments:

- Those which can flow to the General Fund and can be spent any way the City council desires. We’ve shown that under the proposed program this category of increments will generally total over $500,000 per year.
- Those which can only be spent for TIF-eligible purposes within the Central Area TIF district. We’ve shown that there are sufficient increments available to provide the requested funding for Northland Plaza improvements.

We have proposed to use only TIF funds for TIF-eligible purposes. The proposed redevelopment program is projected to produce the $5.6 million in increments needed to support redevelopment of the center during the life of the TIF district based on assumptions that PGAV believes are reasonable and achievable.

The question has been asked: How does this proposal compare to others the City has approved -- why should the City approve a different deal here?"

There are three major projects in the immediate vicinity of Northland Plaza - The Target Center, The County Home Center, and the County Farm Center. All have received public financial support (from the city, the county or both). When comparing subsidy packages for one or more situations, subsidies from all sources should be considered - preferential ground lease rates, relief from public improvement obligations, pre-lease or pre-sale site
Northland Plaza Presentation to the City Council of DeKalb May 13, 2002

preparation and site improvements. All of these items are as much a subsidy as reimbursements for specific development costs incurred by a developer. In fact, we understand that some of these developments share the City's revenues with the County, which is not the case with this proposal.

Various allegations have been made about Northland Plaza getting 'too much' TIF support.' PGAV commented that each project should be judged on its own merits with evaluations made of conditions existing at the time of the proposal and projections of future events.

We've heard the suggestion: "You own the Center so you'll develop it, subsidy or not!"

Encouraged by staff and two City administrations, over the last two years Developer:

- Planned a first-class redevelopment program,
- Installed Borders - a top-quality national tenant - as a demonstration of our commitment,
- Purchased additional land needed for the plan,
- Terminated leases to 'clear the way' for redevelopment,
- Gained approvals for the plan and program from the Plan Commission and the Economic Development Commission.

Some have asked: "what are you going to do if the City turns down your request for support?"

We will to do the following:

- Redevelop the center over time. There is no schedule.
- Re-use existing buildings and the existing site with little or no improvement.
- Lease to retailers who will require minimal construction improvements.
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We would anticipate losing potential tenants to other locations, some of which would be in Sycamore. We will not be able to provide the ambiance of a modernized, coordinated, and coherent development required to consistently attract the prime tenants.

The center will generate negligible incremental revenues.

Thank you for your consideration, diligence and patience.
ORDINANCE 02-46    Passed: June 10, 2002

APPROVING A FINAL PLAN AND FINAL
PLAT FOR NORTHLAND SHOPPING
CENTER ON SYCAMORE ROAD AT
BARBER GREENE ROAD (NORTHLAND
PLAZA, L.L.C).

WHEREAS, Northland Plaza, L.L.C, owner and/or contract purchaser of property, has
submitted a final plan and plat of the Northland Shopping Center for approval; and,

WHEREAS, the final plan of development and final plat has been reviewed by the DeKalb Plan
Commission and received its approval on September 12, 2001, by a vote of 4-0-1 (Vedral absent)
indicating that the plan and plat comply with the Unified Development Ordinance for a final plan
and plat; and,

WHEREAS, the applicant has agreed to comply with all conditions of approval as set forth by
the Plan Commission; and,

WHEREAS, it is in the best interests of the City of DeKalb to approve this petition in a timely
manner in order to allow construction to proceed, now,

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL of the City of DeKalb,
Illinois as follows:

Section 1. That the final plan and plat for DeKalb County Shopping Center, attached hereto as
Exhibits "A" and "B", are approved, subject to the terms of the “PD-C” Planned Development
Commercial zoning for this property.

Section 2. That the building setbacks, and all necessary easements for water and sanitary sewer,
be added to the Final Plat prior to recording.

Section 3. That the Mayor shall be authorized to execute the signature line on the Plat, and the
City Clerk shall be authorized to attest to that signature.

Section 4. All other provisions of the Unified Development Ordinance shall remain in full force
and effect and this Ordinance shall take effect upon its passage and approval according to Law.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a regular meeting
thereof held on the 10th day of June, 2002, and approved by me as Mayor on the same day: First
and second reading on June 10, 2002. Roll call vote 7-0-1. Aye: Small, Kapitan, Knowlton,

ATTEST:

DONNA S. JOHNSON, City Clerk

GREG SPARRROW, Mayor