

# EidenLaw

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Date: May 25, 2012  
Our File No. 10-1015  
Via: Email

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Pat Tierney  
Lake County Planning Dept.  
500 W. Winchester Road  
Unit 101  
Libertyville, IL 60048-1331

Dear Pat,

As you know, the County and my client, Wanish LLC, previously executed an agreement dated July 13, 2010 temporarily suspending the County's approval of the Final Plat of Wanish Park Planned Development. As a result, the Final Plat, although recorded, is deemed incomplete such that it is not fully in compliance with the provisions of Article 10 of the UDO. The agreement recognizes the impact of the decline of the housing market and the desire to preserve the future marketability of the subdivision and rights associated with the subdivision.

The main thrust of the agreement is evidenced by the following paragraph:

Upon documentation that the (conditions of the agreement) have been met, the Director shall evaluate the request from Wanish LLC to approve the Final Plat Documents and if found to be in acceptable form, shall promptly countersign the notice in subsection (4a) above as a ministerial act and without discretion, and shall record, at Wanish LLC's expense, a certificate that Wanish LLC has complied with the terms and conditions of this subsection. Upon such recording, the Approvals shall no longer be suspended and the Final Plat Documents shall be deemed complete and in conformance with the provisions of the UDO, and Wanish LLC and its successors and assigns shall be entitled to all of the benefits of a recorded Final Plat. All of the approvals previously granted by the County as a condition to and in conjunction with recording the Final Plat and constructing the subdivision improvements, shall thereafter be unmodified and in full force and effect.

The agreement also provided:

In the event the Completion Date does not occur on or before July 13, 2012, *unless further extended by the parties* contained hereto, the approval of the Final Plat documents shall be terminated and the Property shall be deemed to revert to its predevelopment status.

The decline of the housing market has not abated and Wanish is still interested in preserving the future marketability of the subdivision and rights associated therewith.

This letter is to request an amendment to the Agreement to extend the Completion Date to December 31, 2013, in accordance with the draft amendment attached with this letter.

Please schedule us before the Planning, Building and Zoning Committee to present this request.

Very truly yours,  
Mark C. Eiden & Associates, PC.

A handwritten signature in black ink, appearing to read 'Mark C. Eiden', written in a cursive style.

Mark C. Eiden