

REZONING APPLICATION

ORIGINAL

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Request: I/we request the property be rezoned to the General Commercial (GC) zoning district.

I/we believe this rezoning is justified because :

For the past 10 years the subject property has been devoted to the existing uses, which will remain the uses of the subject property following the requested change in zoning under the County Unified Development Ordinance (UDO).

The subject property comes before the County in a very unique factual setting. The subject property was annexed into Gurnee in July 2005. Shortly thereafter, it was developed as a gasoline service station, truck rest stop, convenience store, car wash, restaurant and auto repair facility. These uses have been in existence since 2005 and except for the restaurant which is presently vacant, continue to the present day.

In the fall of 2014, the property owner and Gurnee entered into an agreement whereby the subject property was disconnected from the Village. The agreement between the property owner and Gurnee was amicable and there were no code or development issues of any kind between the parties. When the subject property separated from Gurnee, it was assigned the most restrictive zoning classification pursuant to County ordinance. Obviously, such an assignment of zoning classification most typically involves vacant property.

Approval

The Lake County Zoning Board of Appeals is required to make findings of Criteria: fact on your request. You should "make your case" by explaining specifically how your proposed request relates to each of the following criteria:

1. The proposed rezoning is consistent with the stated purpose and intent of the zoning regulations (see Sec. 1.5);

The proposed rezoning is consistent with the stated purpose and intent of the zoning regulations set forth in Section 1.5 of the UDO. The proposed rezoning will allow the existing uses, which were established pursuant to the requirements of the Village of Gurnee, to continue. The use of the subject property is an appropriate one pursuant to the Regional Framework plan. The uses provide, in an appropriate location and manner, necessary and desirable services to the residents of the County and to the public generally as they are traveling through the County on a major arterial highway.

The subject property is connected to both public water and sanitary sewer service lines. A private well is used by the car wash facility. The subject property contains both flood plain and wetlands. Neither are disturbed by the existing uses and they will not be disturbed by any activity connected to the owner's request for rezoning or the companion application for a conditional use permit.

2. The proposed rezoning corrects an error or inconsistency or meets the challenge of some changing condition in the area;

The proposed rezoning will correct the inconsistency of an inappropriate zoning classification for certain existing uses that resulted from the disconnection of the subject property from the Village of Gurnee.

3. The proposed rezoning will allow development that is compatible with existing uses and zoning of nearby property;

The proposed zoning will confirm the appropriateness of the existing uses on the subject property which are entirely compatible for real property along a major U.S. Highway. The existing uses are also compatible with the other existing uses adjacent to US Highway 41 both north and south of the subject property. Those nearby uses include several restaurants, retail uses, a motel and other gas stations and automobile service uses.

4. The County and other service providers will be able to provide adequate public facilities and services to the property, while maintaining adequate levels of service to existing development;

The rezoning will not create any problem with the County or other service providers delivering adequate levels of service to the subject property and neighboring properties. The subject property has been developed and receiving public water and sanitary sewer service and other utility services for nearly 10 years without any problems. The redevelopment plans of the property owner will improve the access to and from the subject property from Highway 41. Also, internal flow of traffic and the parking within the subject property will be improved.

5. The proposed rezoning will not result in significant adverse impacts on other property in the vicinity of the subject tract or on the environment, including air, water, noise, stormwater management, wildlife and natural resources; and

The proposed rezoning will not change the existing impact of the subject property upon other property in the vicinity of it or on the environment. The use of the subject property for the past 10 years has never had an adverse impact upon neighboring properties or the nearby environment. As mentioned above, the access to and from the subject property will be improved following the County approvals.

6. The subject property is suitable for the proposed zoning classification.

The subject property is suitable for the proposed zoning classification. In fact, there is no unknown factor in connection with the grant of the requested zoning because, the subject property, has seen the currently operating uses in existence and operating successfully for 10 years.

I/we hereby attest that all information given above is true and complete to the best of my/our knowledge.

Signature of owner(s)

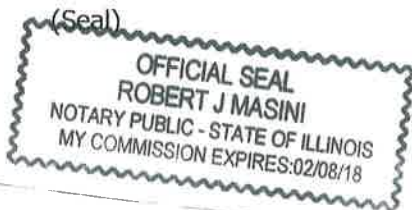
 COMPANY PRESIDENT

Signature(s) of contract purchasers

I, ROBERT J. MASINI a Notary Public aforesaid, do hereby certify that
THOMAS CHUMMAR personally known to me is
(are) the person(s) who executed the foregoing instrument bearing the date of
JUNE 5, 2015 and appeared before me this day in person and acknowledged
that he/she/they signed, sealed and delivered the same instrument for the uses and purposes
therein set forth.

Given under my hand and Notarial Seal this 5th day of JUNE, 2015

(Seal)



My Commission expires _____.



Gurnee Truck Stop, Inc.

The following is the legal description of the portion of the Applicant's property that is the subject of the Rezoning Application and the Conditional Use Permit Application:

That part of the North 44 rods of the Southeast 1/4 of the Northeast 1/4 lying East of U.S. Route 41 in Section 10, Township 45 North, Range 11 East of the Third Principal Meridian described as follows:

Beginning at a point 67.67 feet east of the intersection of the East line of U.S. Route 41 and the North line of the North 44 rods of the Southeast 1/4 of the Northeast 1/4 in said Section 10, thence East along said North line a distance of 384 feet, then southeasterly parallel to the east right-of-way line of U.S. Route 41 to a point that is 460 feet East of the intersection of the East line of U.S. Route 41 and the South line of said North 44 rods measured along the South line of said 44 rods, thence West along said south line of said North 44 rods to the intersection of the East line of U.S. Route 41, thence Northwesterly along the East line of U.S. Route 41 to a point 113.83 feet south of the north line of the North 44 rods of the Southeast 1/4 of the Northeast 1/4 in Section 10, Township 45 North, Range 11 East, thence, continue north along the west line of the North 44 roads to the place of beginning, all in Lake County, Illinois.

5521226

FILED FOR RECORD BY:
MARY ELLEN VANDERVENTER
LAKE COUNTY, IL RECORDER
03/22/2004 - 12:18:55 P.M.
RECEIPT #: 150303
DRAWER #: 24

ILLINOIS STATUTORY WARRANTY DEED
INDIVIDUAL TO CORPORATION

RETURN TO: Thomas V. Mathai
3601 N. Ashland Avenue
Chicago, IL 60613

SEND SUBSEQUENT TAX BILLS TO:
Gurnee Truck Stop, Inc.
36725 U.S. Highway 41
Gurnee, IL 60031

THE GRANTOR(S), Yogi R. Bhardwaj and Kusum L. Bhardwaj, his wife,
of the Village of Gurnee, County of Lake, State
of Illinois for and in consideration of Ten Dollars and
other good and valuable consideration, the receipt and sufficiency
of which is hereby acknowledged, Convey(s) and Warrant(s) to
Gurnee Truck Stop, Inc.
a corporation created and existing under and by virtue of the laws
of the State of Illinois, having its principal office at
36725 U.S. Highway 41, Gurnee, IL 60031

the following described Real Estate, to wit:

SEE ATTACHED EXHIBIT A

NOTE: IF ADDITIONAL SPACE IS REQUIRED FOR LEGAL DESCRIPTION, PLEASE ATTACH A SEPARATE 8 1/2 X 11 1/2 inch sheet
situated in the Village of Gurnee County of Lake in the
State of Illinois, hereby releasing and waiving all rights under
and by virtue of the Homestead Exemption Laws of the State of
Illinois.

Permanent Tax Identification No(s): 07-10-200-009

Property address: 36725 U.S. Highway 41, Gurnee, IL 60031

Dated this 3rd day of March, 2004.

SEAL

Yogi R. Bhardwaj

SEAL

SEAL

Kusum L. Bhardwaj, his wife

SEAL

NOTE: PLEASE TYPE OR PRINT NAME BELOW ALL SIGNATURES

5521226

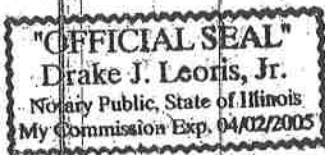
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State of Illinois)
Lake County) SS.

I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY that

Yogi R. Bhardwaj and Kusum L. Bhardwaj, his wife,

personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth, including the release and waiver of the right of homestead.



Impress seal here

Given under my hand and notarial
seal, this 3rd day of March,
2004

Drake J. Leoris, Jr.

NOTARY PUBLIC

AFFIX TRANSFER STAMPS ABOVE

OR

This transaction is exempt from the provisions of the Real Estate Transfer Tax Act under Paragraph (e), Section 4 of said Act.

Drake J. Leoris, Jr. representative Date: March 3, 2004
Buyer, Seller or Representative

This instrument prepared by:

Drake James Leoris, Jr., LEORIS & COHEN, P.C., 622 Laurel Avenue,
Highland Park, IL 60035

5521226

EXHIBIT A

THAT PART OF THE NORTH 44 RODS (EXCEPTING THAT PART LYING WEST OF THE EAST LINE OF THE PREMISES HERETOFORE DEDICATED TO THE STATE OF ILLINOIS FOR HIGHWAY PURPOSES BY INSTRUMENT RECORDED DECEMBER 12, 1934 AS DOCUMENT 407151) OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 45 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN LAKE COUNTY, ILLINOIS, EXCEPTING THAT PART OF THE NORTH 44 RODS (726.0 FEET) LYING EAST OF THE EAST LINE S.B.I. ROUTE 68, ACCORDING TO DOCUMENT NO. 407151 AND WEST OF A LINE CONSTRUCTED PARALLEL WITH THE SAID EAST LINE S.B.I. ROUTE 68 AND 350.0 FEET EASTERLY THEREFROM (AS MEASURED PERPENDICULAR TO SAID EAST LINE) OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 45 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN LAKE COUNTY, ILLINOIS.

Taken
out
Bib

TRUSTEE'S DEED

THIS INDENTURE, made this 18th day of February, 2004, between **THE NORTHERN TRUST COMPANY**, Successor by Merger to Northern Trust Bank/Lake Forest National Association, being qualified to accept and execute Trusts under the laws of the State of Illinois, as Trustee under the provisions of a Deed or Deeds in Trust, duly recorded and delivered to said Corporation, in pursuance of a Trust Agreement, dated the 15th day of May, 2002, and known as Trust Number 9968, Party of the First Part, Gurnee Truck Stop, Inc.

5521227

FILED FOR RECORD BY:
MARY ELLEN VANDERVENTER
LAKE COUNTY, IL RECORDER
03/22/2004 - 12:19:54 P.M.
RECEIPT #: 150303
DRAWER #: 24

The above space for recorder's use only

whose address is 3887 Sunset Lane, Northbrook, IL 60062, Party of the Second Part,

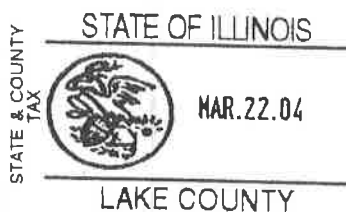
WITNESSETH, that said party of the First Part, in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable considerations in hand paid, does hereby grant, sell and convey unto said Party of the Second Part, the following described real estate, situated in Lake County, Illinois, to-wit:

THAT PART OF THE NORTH 44 RODS (726.0 FEET) LYING EAST OF THE EAST LINE S.B.I. ROUTE 68, ACCORDING TO DOCUMENT NO. 407151 AND WEST OF A LINE CONSTRUCTED PARALLEL WITH THE SAID EAST LINE S.B.I. ROUTE 68 AND 350.0 FEET EASTERLY THEREFROM (AS MEASURED PERPENDICULAR TO SAID EAST LINE) OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 10, TOWNSHIP 45 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN LAKE COUNTY, ILLINOIS.

PIN # 07-10-200-009

together with the tenements and appurtenances thereunto belonging.

TO HAVE AND TO HOLD the same unto said party of the second part, and to the proper use, benefit and behoof forever of said party of the second part.
SUBJECT TO:



# 0000027017	REAL ESTATE TRANSFER TAX
	02250.00
	FP 103013

1500.00

This Deed is executed pursuant to and in the exercise of the power and authority granted to and vested in it by the terms of said Deed or Deeds in Trust delivered to said trustee in pursuance of the Trust Agreement above mentioned. This Deed is made subject to the liens of all trust deeds or mortgages (if there be any) of record in said county given to secure the payment of money, and remaining unreleased at the date of the delivery hereof.

This space for affixing riders, revenue stamps and exempt stamp.

5521227

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IN WITNESS WHEREOF, said party of the first part has caused its corporate seal to be hereto affixed and has caused its name to be signed to these presents by its Vice President and attested by its Assistant Secretary the day and year first above written.

THE NORTHERN TRUST COMPANY,
Successor by Merger to
Northern Trust Bank/Lake Forest
National Association
as Trustee as aforesaid, (not personally or individually),

By: Timothy Hendershot Vice President
Attest: Gerald L. Hoffman Assistant Secretary

State of Illinois,
S.S.
County of Lake

NOTICE

This Deed must be delivered to the RECORDER OF DEEDS of the county in which the property is located, and recorded by him in order to show that ownership has been conveyed by the Bank to you. Request COUNTY TREASURER to change name and address for future tax bills.

I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY, that the above named Vice President and Assistant Secretary of the THE NORTHERN TRUST COMPANY, Successor by Merger to Northern Trust Bank/Lake Forest National Association personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and Assistant Secretary, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said Bank, for the uses and purposes therein set forth, and the said Assistant Secretary did also then and there acknowledge that he/she, as Custodian of the Corporate Seal of said Bank, did affix the said Corporate Seal of said Bank to said instrument as his/her own free and voluntary act, and as the free and voluntary act of said Bank, for the uses and purposes therein set forth.

PREPARED BY
THE NORTHERN TRUST COMPANY
P.O. BOX 391
LAKE FOREST, IL 60045

Given under my hand and Notarial Seal Date February 18, 2004

Deanne L. Sloan
Notary Public

Tax Mailing Address

D NAME THOMAS CHUMMAN
E
L STREET 3887 SCIMIT LN
I
V CITY NORTHBROOK
E
R IL 60062
Y



FOR INFORMATION ONLY
INSERT STREET ADDRESS OF ABOVE
DESCRIBED PROPERTY HERE

36725 U. S. Highway 41, Gurnee, IL 60031

INSTRUCTIONS OR
RECORDER'S OFFICE BOX NUMBER

5521227

VACANT

✓ AND ✓

WIKSEAY
STABLES
KENNELS

VACANT w/ ONE SMALL BUILDING
NURSEARY ?

✓
ASK
TO BE
REASONED
TO
TWO
PAGES

SUBJECT

VACANT

TAX CODE 95
MOSTLY
/ACCOMMOD
ONE
SMALL
STRUCTURE

RESIDENCE
(7)
LOOKS LIKE A HOME

RESIDENCE

VACANT

RIVER

DES PLAINES RIVER

DES
PLAINES
RIVER

36717 N
SKOKIE HIGHWAY

3600 N
SKOKIE HIGHWAY