

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS THIS 5<sup>th</sup> DAY OF DECEMBER, 2022.

Published in pamphlet form by the authority of the President and Board of Trustees of the Village of Arlington Heights, Cook County, Illinois this 5<sup>th</sup> day of December, 2022.

Village Clerk

## AN ORDINANCE AMENDING ORDINANCE NUMBER 2022-03 APPROVING SIGN VARIATIONS FOR THE PROPERTY AT 750 EAST RAND ROAD

WHEREAS, RPS Arlington, LLC, ("Applicant") is the owner of record of that certain property located in the B-3 General Service, Wholesale and Motor Vehicle District ("B-3 District"), commonly known as 750 E. Rand Road, and legally described in Exhibit A attached to and, by this reference, made a part of this Ordinance ("Property"); and

WHEREAS, on June 6, 2022, the Village Board of Trustees adopted Ordinance 2022-033, approving certain variations from the Sign Regulations of the Municipal Code for the Property, subject to certain conditions ("Sign Variation Ordinance"); and

WHEREAS, the Applicant has filed an application with the Village requesting an amendment to the Sign Variation Ordinance to allow removal of a condition from the Sign Variation Ordinance (the "Requested Amendment"); and

WHEREAS, notification of a public meeting of the Design Commission of the Village of Arlington Heights ("Design Commission") to consider approval of the Requested Amendment was provided by the Applicant by posting signage at the Property and serving written notice on neighboring property owners; and

WHEREAS, on October 11, 2022, the Design Commission conducted a public meeting to consider the Requested Amendment, and voted to recommend that the Village Board approve the Requested Amendment; and

WHEREAS, the Village President and Board of Trustees have determined that it will serve and be in the best interests of the Village to grant the requested Amendment, subject to the conditions, restrictions, and provisions of this Ordinance,

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS:

SECTION 1. RECITALS. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION 2. AMENDMENT TO SIGN VARIATION ORDINANCE 2022-033. The following condition in Section 3 of Sign Variation Ordinance 2022-033, is hereby omitted as set forth in this Section 2. Any condition set forth in the Sign Variation Ordinance that is not expressly amended in this Section 2, remains in full force and effect (deletion is struck through):

## SECTION 3. CONDITIONS.

D. <u>State approval</u>. Sign approval is contingent upon Illinois Department of Transportation (IDOT) and Village approvals for the new driveway.

SECTION 3. CONDITIONS. Notwithstanding any use or development right that may be applicable or available pursuant the provisions of the "Municipal Code of Arlington Heights, Illinois, 1995," as amended ("Village Code"), the approval of this Ordinance is hereby expressly subject to, and contingent upon, the development, use, and maintenance of the Property in compliance with the following conditions:

- A. <u>Driveway Approvals</u>. The Petitioner is required to continue pursuing Illinois Department of Transportation (IDOT) and Village approvals for the new driveway in a timely manner, and shall install the new driveway, if approved.
- B. <u>Ground Sign</u>. Move the location of the ground sign approximately 12 feet to the southeast to allow additional clearance for the possible driveway.
- C. <u>Compliance with Plans</u>. Except for minor changes and site work approved by the Village's Director of Building & Life Safety (for matters within his or her permitting authority) in accordance with all applicable Village standards, the installation, use, operation, and maintenance of the approved signs on the Property must comply with those certain updated plans prepared by the Applicant, a copy of which is attached to and, by this reference, made a part of this Ordinance as Exhibit B ("*Plans*").

SECTION 4. RECORDATION; BINDING EFFECT. A copy of this Ordinance will be recorded with the Cook County Clerk. This Ordinance and the privileges, obligations, and provisions contained herein inure solely to the benefit of, and are binding upon the Applicant and each of its heirs, representatives, successors, and assigns.

SECTION 5. FAILURE TO COMPLY WITH CONDITIONS. Upon the failure or refusal of the Applicant to comply with any or all of the conditions, restrictions, or provisions of this Ordinance, as applicable, the approval granted in Section 2 of this Ordinance may, at the sole discretion of the Village President and Board of Trustees, by ordinance duly adopted, be revoked and become null and void; provided, however, that the Village President and Board of Trustees may not so revoke the approval granted in Section 2 of this Ordinance unless they first provide the Applicant with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Village President and Board of Trustees. In the event of revocation, the development and use of the Property will be governed solely by the regulations of the B-3 General Service, Wholesale and Motor Vehicle District and the applicable provisions of the Sign Regulations and the Village Code, as the same may, from time to time, be amended. Further, in the event of such revocation, the Village Manager and Village Attorney are hereby authorized and directed to bring such enforcement action as may be appropriate under the circumstances.

SECTION 6. AMENDMENTS. Any amendments to the approvals granted in Section 2 of this Ordinance that may be requested by the Applicant after the effective date of this Ordinance may be granted only pursuant to the procedures, and subject to the standards and limitations, provided in the Sign Regulations and the Village Code.

SECTION 7. SEVERABILITY. If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance are to remain in full force and effect, and will be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

### SECTION 8. EFFECTIVE DATE.

A. This Ordinance will be effective only upon the occurrence of all of the following events:

- 1. Passage by the Village President and Board of Trustees in the manner required by law; and
- 2. The filing by the Applicant with the Village Clerk of an Unconditional Agreement and Consent, in the form of Exhibit C attached to and, by this reference, made a part of this Ordinance, to accept and abide by each and all of the terms, conditions, and limitations set forth in this Ordinance and to indemnify the Village for any claims that may arise in connection with the approval of this Ordinance.
- B. In the event the Applicant does not file fully executed copies of the Unconditional Agreement and Consent, as required by Section 8.A.2 of this Ordinance, within 30 days after the date of final passage of this Ordinance, the Village President and Board of Trustees will have the right, in their sole discretion, to declare this Ordinance null and void and of no force or effect.

ATES:		
NAYS:		
PASSED AND APPROVED this 5th day	of December, 2022.	
	Village President	
ATTEST:		
Village Clerk		

ANTEG

#### **EXHIBIT A**

### Legal Description

PART OF LOTS 1, 2 AND 3 IN THE CUB ADDITION, BEING A SUBDIVISION IN THE NORTH WEST 1/4 OF THE NORTH EAST 1/4 OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN. ACCORDING TO THE PLAT THEREOF RECORDED MAY 17, 1984 AS DOCUMENT NO. 27090321; ALSO PART OF LOTS 61 TO 65 INCLUSIVE IN C. A. GOELZ'S ARLINGTON HEIGHTS GARDENS. A SUBDIVISION IN THE NORTH EAST 1/4 OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN REGISTERED MARCH 13, 1928 AS DOCUMENT NO, LR396997; ALSO PART OF VACATED PRAIRIE AVENUE (33 FEET WIDE) AND VACATED LILLIAN AVENUE (66 FEET WIDE) VACATED ACCORDING TO ORDINANCE RECORDED DECEMBER 13, 1988 AS DOCUMENT NO. 88576174, DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST SOUTHERLY CORNER OF SAID LOT 3 IN THE CUB ADDITION; THENCE NORTH 47 DEGREES 48 MINUTES 11 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID LOT 3. BEING ALSO THE NORTHEASTERLY LINE OF RAND ROAD, A DISTANCE OF 410.16 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SOUTHWESTERLY LINE OF LOT 3, NORTH 47 DEGREES 48 MINUTES 11 SECONDS WEST 190.40 FEET; THENCE NORTH 42 DEGREES 11 MINUTES 49 SECONDS EAST 120.00 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 48 SECONDS WEST 153.58 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 49 SECONDS EAST 45.07 FEET TO A POINT OF 1 CURVATURE; THENCE SOUTHEASTERLY ALONG A CURVE CONCA VE TO THE SOUTH WEST HAVING A RADIUS OF 57.50 FEET. AN ARC DISTANCE OF 57.16 FEET, THE CHORD OF SAID ARC HAVING A LENGTH OF 54.83 FEET, AND A BEARING OF SOUTH 61 DEGREES 32 MINUTES 37 SECONDS EAST; THENCE NORTH 89 DEGREES 58 MINUTES 49 SECONDS EAST 25.91 FEET: THENCE NORTH 00 DEGREES 01 MINUTES 11 SECONDS WEST 46.57 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 49 SECONDS EAST 294.22 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 48 SECONDS WEST 20.28 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 12 SECONDS EAST 9.65 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 48 SECONDS EAST 10.15 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 12 SECONDS WEST 1.96 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 48 SECONDS EAST 152.09 FEET; THENCE SOUTH 45 DEGREES 01 MINUTES 48 SECONDS EAST 12.73 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 48 SECONDS EAST 7.00 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 12 SECONDS EAST 20.18 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 48 SECONDS WEST 3.08 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 12 SECONDS EAST 24.38 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 48 SECONDS WEST 21.40 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 12 SECONDS EAST 10.90 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 48 SECONDS WEST 349.03 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 12 SECONDS EAST 226.45 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 48 SECONDS EAST 44.97 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 12 SECONDS 20. 75 FEET TO A POINT ON THE EAST LINE OF LOT 65 IN SAID C. A. GOELZ'S ARLINGTON HEIGHTS GARDENS; THENCE SOUTH 00 DEGREES 01 MINUTES 48 SECONDS EAST ALONG THE EAST LINE AND THE EAST LINE EXTENDED OF SAID LOTS 61, 62, 63, 64 AND 65, A DISTANCE OF 492.59 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 12 SECONDS WEST 204.61 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 48 SECONDS WEST 0.33 OF A FOOT; THENCE SOUTH 89 DEGREES 58 MINUTES 12 SECONDS WEST 42.65 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 48 SECONDS WEST 94.86 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 12 SECONDS WEST 10.96 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 48 SECONDS WEST 39.80 FEET; THENCE SOUTH 59 DEGREES 58 MINUTES 12 SECONDS WEST 24.32 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 48 SECONDS WEST

3.08 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 12 SECONDS WEST 20.18 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 48 SECONDS EAST 7.00 FEET; THENCE SOUTH 44 DEGREES 58 MINUTES 12 SECONDS WEST 12.73 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 48 SECONDS EAST 121.74 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 12 SECONDS WEST 13.03 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 48 SECONDS EAST 22.80 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 12 SECONDS WEST 305.66 FEET; THENCE SOUTH 42 DEGREES 11 MINUTES 49 SECONDS WEST 62.50 FEET TO THE PLACE OF BEGINNING IN COOK COUNTY, ILLINOIS.

#### AND

PART OF LOTS 62 AND 63 IN C. A. GOELZ'S ARLINGTON HEIGHTS GARDENS, A SUBDIVISION IN THE NORTH EAST 1/4 OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, REGISTERED MARCH 13, 1928 AS DOCUMENT NO. LR396997; ALSO PART OF VACATED PRAIRIE AVENUE (33 FEET WIDE AND VACATED LILLIAN A VENUE (66 FEET WIDE), VACATED ACCORDING TO ORDINANCE RECORDED DECEMBER 13. 1988 AS DOCUMENT NO. 8857B174. DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH WEST CORNER OF SAID LOT 63; THENCE SOUTH 89 DEGREES 42 MINUTES 11 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 63, A DISTANCE OF 32.74 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 01 MINUTES 48 SECONDS EAST 90.01 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 12 SECONDS WEST 10.90 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 48 SECONDS EAST 21.40 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 12 SECONDS WEST 24.38 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 48 SECONDS EAST 3.08 FEET; THENCE SOUTH 59 DEGREES 58 MINUTES 12 SECONDS WEST 20.18 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 48 SECONDS WEST 7.00 FEET; THENCE NORTH 45 DEGREES 01 MINUTES 48 SECONDS WEST 12.73 FEET; THENCE NORTH 00 DEGREES, 01 MINUTES, 48 SECONDS WEST 152.09 FEET; THENCE NORTH 89 DEGREES O1 MINUTES 12 SECONDS EAST 64.46 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 48 SECONDS EAST 53.60 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

## AND:

PART OF LOTS 61 AND 62 IN C. A. GOELZ'S ARLINGTON HEIGHTS GARDENS, A SUBDIVISION IN THE NORTH EAST 1/4 OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, REGISTERED MARCH 13, 1928 AS DOCUMENT NO. LR398997; ALSO PART OF VACATED PRAIRIE AVENUE (33 FEET WIDE VACATED ACCORDING TO ORDINANCE RECORDED DECEMBER 13. 1988 AS DOCUMENT NO. 88576174, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH WEST CORNER OF SAID LOT 61; THENCE SOUTH 89 DEGREES 41 MINUTES 51 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 61, A DISTANCE OF 32.71 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 01 MINUTES 48 SECONDS EAST 80.29 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 12 SECONDS WEST 64.46 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 48 SECONDS WEST 121.74 FEET; THENCE NORTH 44 DEGREES 58 MINUTES 12 SECONDS EAST 12.73 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 48 SECONDS EAST 3.08 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 12 SECONDS EAST 3.08 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 12 SECONDS EAST 3.08 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 12 SECONDS EAST 3.08 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 12 SECONDS EAST 3.08 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 12 SECONDS EAST 3.08 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 12 SECONDS EAST 3.08 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 12 SECONDS EAST 3.08 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 12 SECONDS EAST 3.08 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 12 SECONDS EAST 3.08 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 12 SECONDS EAST 3.08 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 12 SECONDS EAST 3.08 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 12 SECONDS EAST 39.80

FEET; THENCE NORTH 89 DEGREES 58 MINUTES 12 SECONDS EAST 10.96 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 48 SECONDS EAST 14.57 FEET TO THE PLACE OF BEGINNING. IN COOK COUNTY. ILLINOIS.

Common Address: 750 East Rand Road, Arlington Heights, Illinois 60004

PIN(s): 03-20-201-011, -014; 03-20-203-013, -014, -015

## EXHIBIT B

(Plans)

272"(h) x 108"(w) **Including Brick Structure**  188"(h) x 118"(w)



254"(h) x 144"(w)



54"(h) x 94"(w)



Site Address:

272"(h) x 108"(w) **Including Brick Structure** 



272"(h) x 108"(w) Including **Brick Structure** 





at heme The Home Décor Superstore

**PROPOSED SIGN** 

**SIGNAGE PROOF** 

**Client / Project Name:** 

RPS Capital Investment

**Estimate / Order Number:** 

WIP 35127

**Specifications:** 

Internally Illuminated (LED) Aluminum Cabinet on Stone Base (by others)

**Date Sent To Client:** 

2/1/22

**Current Revision:** 

Rev6 4/6/22 dp

▼ CLIENT TO FILL OUT ▼



Signature / Date

**Approved As Noted:** 

Signature / Date

Requesting Revision



1315 E. Davis St., Arlington Heights, IL 60005 847.255.0123 tel • 847.255.0183 fax arlingtonheights@signsbytomorrow.com www.sbtarlingtonheights.com



750 E. Rand Rd., Arlington Heights Rd

Phone Numer: Site Contact:

**FOR INSTALLS** 

PLEASE FILL IN

INFORMATION

Site Address:

Please review all colors, text, sizes and fonts. If color is important, please provide a PANTONE number for that color. Production of signage will not begin without client approval.

Artwork will be produced as seen on this drawing, unless noted otherwise. Artwork created by Signs By Tomorrow - Arlington Heights cannot be used, reproduced or shared without permission.

## ADDITIONAL SURROUNDING AREA GROUND SIGNAGE







750 E. Rand Rd., Arlington Heights Rd

Site Contact: | Phone Numer:

# **SIGNAGE PROOF**

## **Client / Project Name:**

RPS Capital Investment

### Estimate / Order Number:

WIP 35127

### **Specifications:**

Internally Illuminated (LED)
Aluminum Cabinet on Stone Base (by others)

#### **Date Sent To Client:**

2/1/22

## **Current Revision:**

Rev6 4/6/22 dp

## **▼** CLIENT TO FILL OUT **▼**



Signature / Date

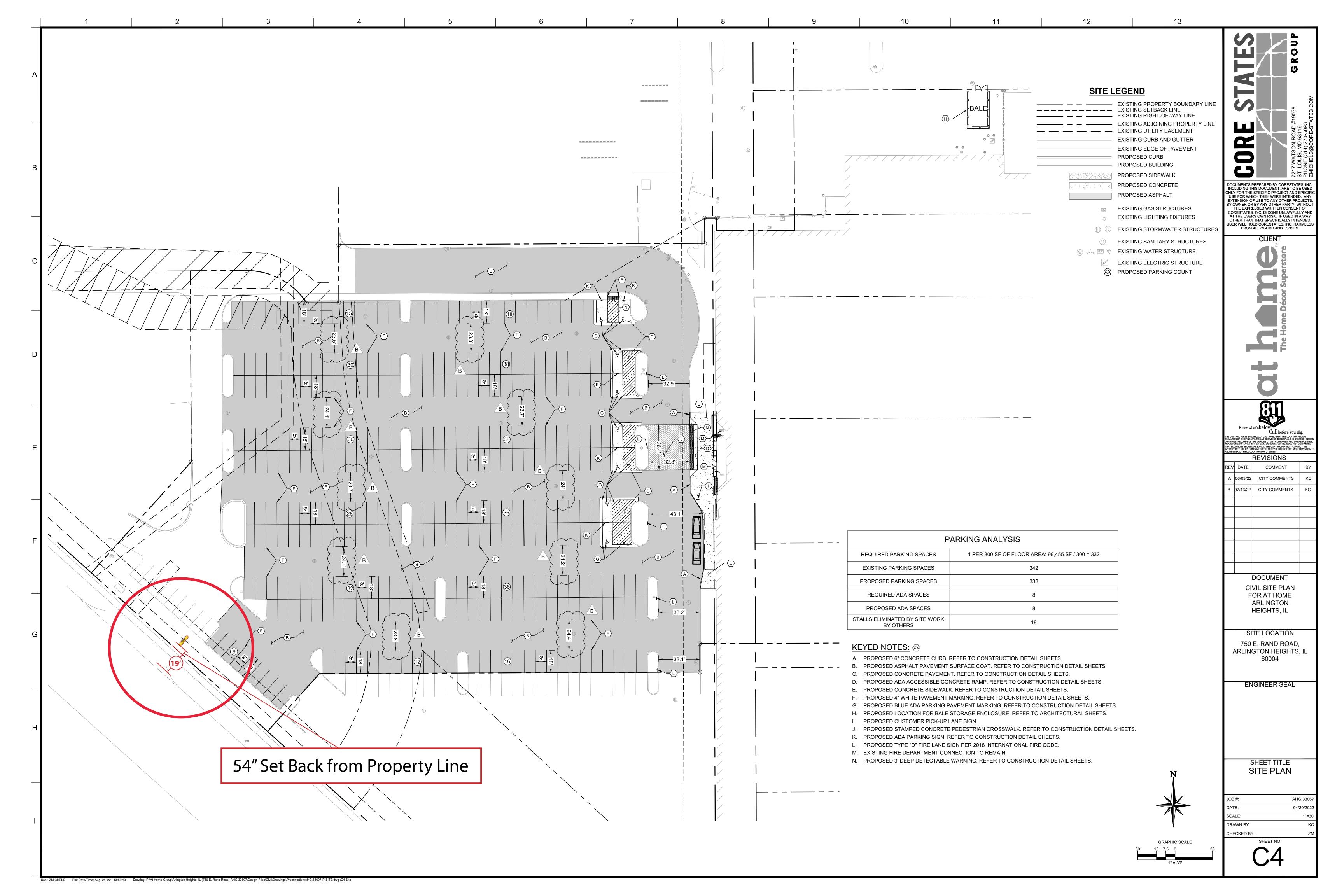
Approved As Noted:

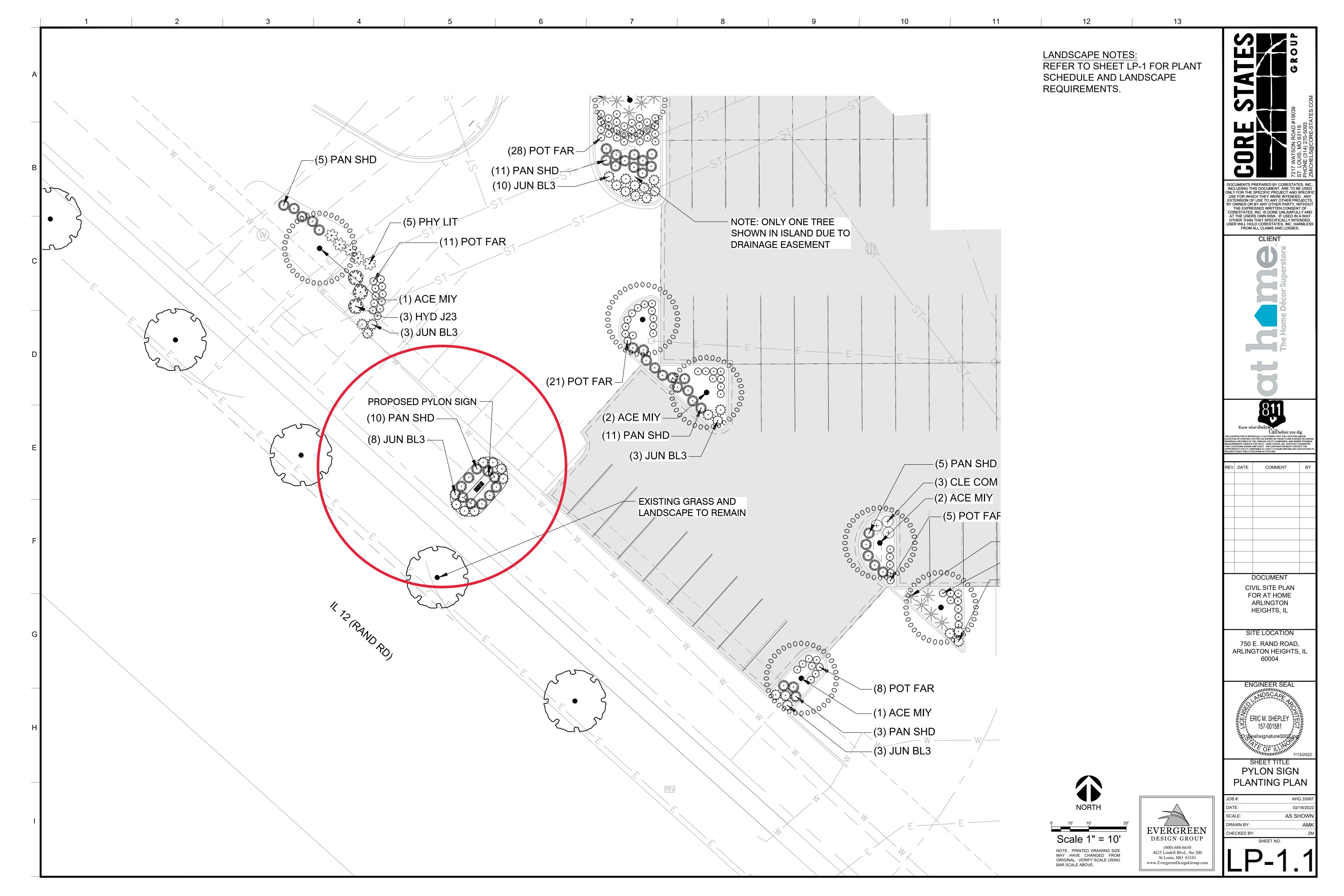
Signature / Date

Requesting Revision



1315 E. Davis St., Arlington Heights, IL 60005 847.255.0123 tel • 847.255.0183 fax arlingtonheights@signsbytomorrow.com www.sbtarlingtonheights.com







#### **FACE VIEW**

118.00 in

at hame MANUFACTURE & INSTALL NEW ILLUMINATED DOUBLE FACE SIGN. STONE BASE BY OTHERS 80.00 \* 26" DEEP .063 ALUMINUM CABINET. The Home Décor \* PAINTED - PMS 424c DARK GRAY. \* WHITE FLEX SUBSTRATE. DIGITALLY PRINTED FACE GRAPHICS: Superstore BACKGROUND = PMS 424C DARK GRAY. LOGO SHAPE = PMS 312 C BLUE. LETTERS = WHITE. \* ILLUMINATED w/ WHITE LED LIGHTING 140.50 60.00 Grade

# **SIGNAGE PROOF**

## **Client / Project Name:**

RPS Capital Investment

#### Estimate / Order Number:

36542

#### **Specifications:**

Internally Illuminated (LED)
Aluminum Cabinet on Stone Base (by others)

#### Date Sent To Client:

2/1/22

#### **Current Revision:**

Rev8 9/22/22 dp

## ▼ CLIENT TO FILL OUT

Approved:

Signature / Date

Approved As Noted:

Signature / Date

Requesting Revision



1315 E. Davis St., Arlington Heights, IL 60005 847.255.0123 tel • 847.255.0183 fax arlingtonheights@signsbytomorrow.com www.sbtarlingtonheights.com



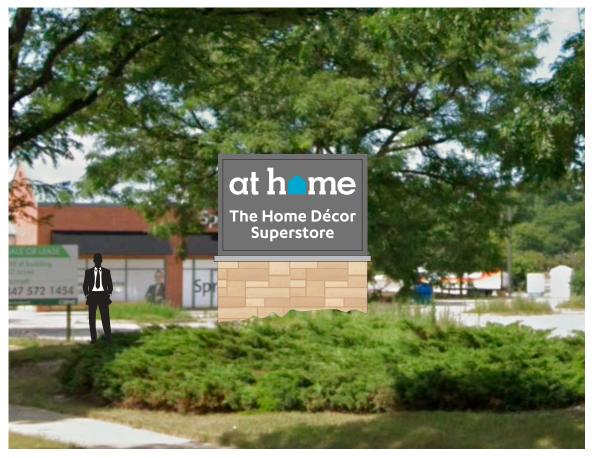
Site Address:

750 E. Rand Rd., Arlington Heights Rd

Site Contact: | Phone Numer:



## Approximate Location Rendering



# **SIGNAGE PROOF**

## **Client / Project Name:**

RPS Capital Investment

#### Estimate / Order Number:

WIP 35127

## **Specifications:**

Internally Illuminated (LED)
Aluminum Cabinet on Stone Base (by others)

#### **Date Sent To Client:**

2/1/22

#### **Current Revision:**

Rev8 9/22/22 dpp

## CLIENT TO FILL OUT



Signature / Date



Signature / Date

Requesting Revision



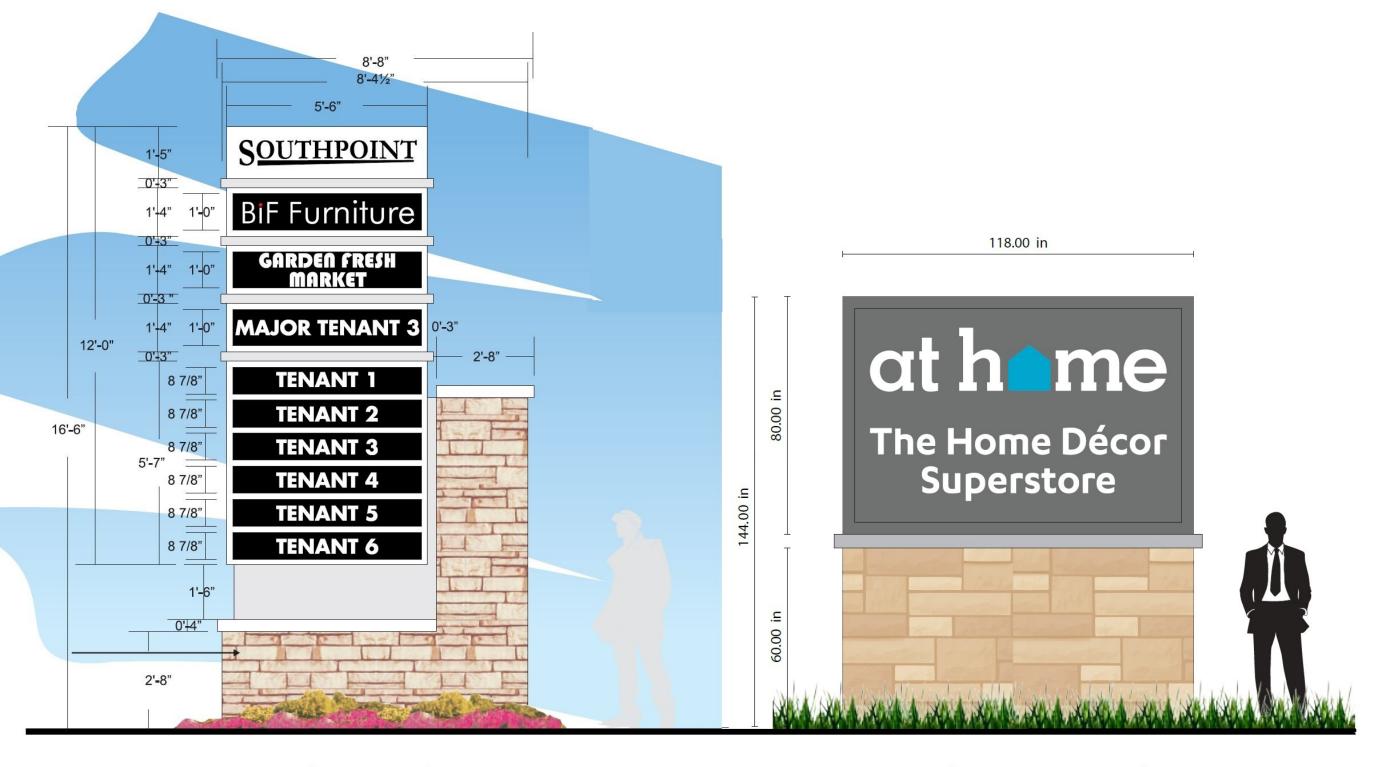
1315 E. Davis St., Arlington Heights, IL 60005 847.255.0123 tel • 847.255.0183 fax arlingtonheights@signsbytomorrow.com www.sbtarlingtonheights.com



Site Contact:

INFORMATION

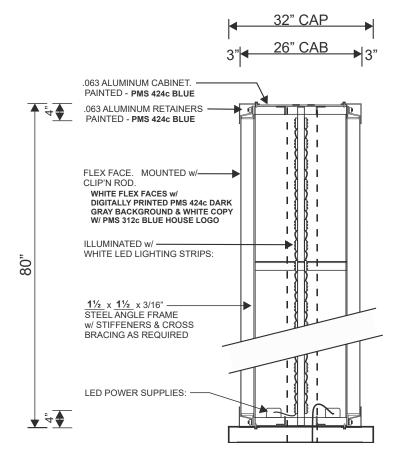
Phone Numer:



**Existing Southpoint Multi-Tenant Signs** 

Proposed At Home Ground Sign





## **SIGNAGE PROOF**

## **Client / Project Name:**

RPS Capital Investment

#### Estimate / Order Number:

WIP 35127

#### **Specifications:**

Internally Illuminated (LED)
Aluminum Cabinet on Stone Base (by others)

#### Date Sent To Client:

2/1/22

#### **Current Revision:**

Rev8 9/22/22 dp

CLIENT TO FILL OUT

Approved:

Signature / Date

Approved As Noted:

Signature / Date

Requesting Revision



1315 E. Davis St., Arlington Heights, IL 60005 847.255.0123 tel • 847.255.0183 fax arlingtonheights@signsbytomorrow.com www.sbtarlingtonheights.com



Site Address:

750 E. Rand Rd., Arlington Heights Rd

Site Contact: | Phone Numer:



## 1315 E. Davis Street Arlington Heights, IL 60005 T847-255-0123, F 847-255-0183

## **Material List**

1. Petitioner Name: Signs By Tomorrow/ Alex Looff

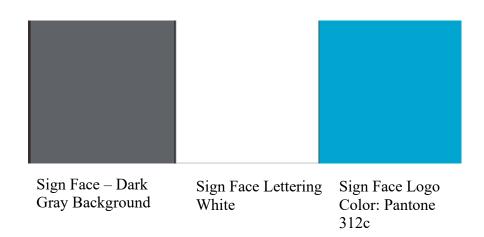
2. Date: 9/15/22

3. Project: RPS Capitol Investment

4. Location: 750 E. Rand Rd

## Retail Building:

Signage: Internally LED Illuminated Aluminum Pylon Sign Lexan Sign face with Translucent Vinyl Graphics Stone Base to match other monument signs on premises – either real stone or sign foam to get closer match.



#### EXHIBIT C

## UNCONDITIONAL AGREEMENT AND CONSENT

TO: The Village of Arlington Heights, Illinois ("Village"):

WHEREAS, RPS Arlington, LLC, Applicant, of that certain property located in the B-3 General Service, Wholesale and Motor Vehicle District ("B-2 District'), commonly known as 750 E Rand Rd, and legally described in Exhibit A attached to and, by this reference, made a part of this Ordinance ("Property'); and

WHEREAS, Ordinance No. 2022-\_\_\_\_\_, adopted by the Village President and Board of Trustees on December 5, 2022 ('Ordinance'), approves amendment to Sign Variation Ordinance Number 2022-033; and

WHEREAS, Section 8 of the Ordinance provides, among other things, that the Ordinance will be of no force or effect unless and until the Applicant files, within 30 days following the passage of the Ordinance, their unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Ordinance;

NOW, THEREFORE, the Applicant does hereby agree and covenant as follows:

- 1. The Applicant hereby unconditionally agrees to, accept, consent to, and will abide by, each and all of the terms, conditions, limitations, restrictions, and provisions of the Ordinance.
- 2. The Applicant acknowledges that public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, has considered the possibility of the revocation provided for in the Ordinance, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.
- 3. The Applicant acknowledges and agrees that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's adoption of the Ordinance, and that the Village's approvals do not, and will not, in any way, be deemed to insure the Applicant against damage or injury of any kind and at any time.
- 4. The Applicant hereby agrees to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the Village's adoption of the Ordinance.

[SIGNATURES ON FOLLOWING PAGE]

Dated:, 2022		
ATTEST:	RPS ARLINGTON, LLC	
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Ita	Ito	