



City of Rochelle

420 N 6th Street
P.O. Box 601
Rochelle, IL 61068
Tele: (815) 562-6161
Fax: (815) 562-3888

TO: Ken Alberts, City Manager

**FROM: Chris Limas, AICP
Community Development Director**

DATE: December 4, 2010

SUBJECT: Case PZC-11-12 CenterPoint Rezoning (Public Hearing)

Applicant: Rochelle Development Joint Venture LLC, Rochelle Development Lot 1 LLC and CenterPoint Intermodal Center Rochelle Property Owners Association

Location: North side of Illinois Route 38 generally at the Intersection of Centerpoint Drive and Illinois Route 38

Zoning: I-1, Light Industry

Comprehensive Plan: Business-Research Park/Light Industry

Lot Size: Subdivision Size: 360 Acres

Summary

On December 6, 2010 the Planning and Zoning Commission held a public hearing on a petition by Rochelle Development Joint Venture LLC, Rochelle Development Lot 1 LLC, CenterPoint Intermodal and Center Rochelle Property Owners Association for the rezoning of property from I-1, Light Industry District to I-2 General Industry. The purpose of the rezoning was to assist in developing a rail served industrial site.

It was indicated at the hearing that rail access to the site will be from along the north property line and developed in conjunction with the rail access for the Black Earth site to the east. Both developments were needed to develop rail access due to the requirements that a rail siding be at least 6,500 feet long for which neither site has enough frontage to meet this requirement. With the rail siding available it would make planning sense to develop this site as an industrial rail development.

It was also noted that the comprehensive plan indicates this site to be Business-Research Park/Light Industry which is allowed in the I-2 zoning district. Per the comprehensive plan, industrial/ warehousing which are some of the other uses allowed in the I-2 district should be in areas adjacent to railroad lines and allow the continued expansion of existing industrial areas which is true for this site.

After deliberation the Commission indicated that the best use of the site would be for the development of a rail served industrial park and an I-2 zoning would be the best use of the property.

RECOMMENDATION

Based on the above noted facts the Planning and Zoning Commission voted to recommend **Approval** of the rezoning of the CenterPoint site from I-1, Light Industry District to I-2 General Industry.

VOTE: 5-1



City of Rochelle

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Rochelle, IL 61068
Tele: (815) 562-6161
Fax: (815) 562-3888

TO: Planning and Zoning Commission

FROM: Chris Limas, AICP
Community Development Director

DATE: November 30, 2010

SUBJECT: Case PZC-11-12 CenterPoint Rezoning (Public Hearing)

Applicant: Rochelle Development Joint Venture LLC, Rochelle Development Lot 1 LLC and CenterPoint Intermodal Center Rochelle Property Owners Association

Location: North side of Illinois Route 38 generally at the Intersection of Centerpoint Drive and Illinois Route 38

Zoning: I-1, Light Industry

Comprehensive Plan: Business-Research Park/Light Industry

Lot Size: Subdivision Size: 360 Acres

Summary

The petitioner is requesting a rezoning of the subject property from I-1, Light Industry District to I-2 General Industry in order to develop a rail served site. Rail access to the site will be from along the north property line in conjunction with the rail access for the Black Earth site to the east due to the requirements that a rail siding be at least 6,500 feet long and the Black Earth site does not have enough frontage to accomplish this. With the rail siding available it would make planning sense to develop this site as an industrial rail development.

The comprehensive plan indicates this site to be Business-Research Park/Light Industry which is allowed in the I-2 zoning district. Per the comprehensive plan, industrial/warehousing which are some of the other uses allowed in the I-2 district should be in areas adjacent to railroad lines and allow the continued expansion of existing industrial areas which is true for this site. Staff finds to rezoning from I-1 to I-2 appropriate for this site.

RECOMMENDATION

Staff has reviewed the requested rezoning and recommends **Approval** of the rezoning of the CenterPoint site from I-1, Light Industry District to I-2 General Industry.

Petition for Planning & Zoning Commission

All Petition & Publication Fees shall be paid at time of Application Submittal

PLANNING & ZONING COMMISSION:

(Article I Sec 74-34)

Check Petition (s) Requested:

- Petition to Zone or Rezone
- Map Amendment
- Petition to Amend an Ordinance/Text (Sec 110:121 -126)
- Petition for Subdivision or Re-subdivide (PRELIMINARY PLAT)
- Petition for Subdivision FINAL PLAT
- Petition for (Preliminary) Planned Unit Development (PUD) with CONDITIONAL USE
- Petition for Final Planned Unit Development (PUD)
- Petition for CONDITIONAL USE (SPECIAL USE PERMIT) for: Antennas ART XIV Sec 110:707 ROOF SIGNS (Gen Stds Sec 110: 675)
- Off Premise signs (Sec 110:678 (1) Must be located in same subdivision as the location of business advertised on the off-premise sign in order to apply for a Conditional Use. Signs in Residential Zoning (Sec:110:672) Exemptions)
- Petition to Vacate a Street, R.O.W. or an Alley - Petition of at least 50% of owners must accompany application. Also fees due at time of application of 5¢ or 10¢ per square foot of proposed area (determined by zoning) + appraisal costs. (See special instructions per City Code Article VIII Vacation of Right-of-Way. Fees established by Council Resolution Sec. 82-242.

VARIANCES OF CODES OR SETBACKS OR CODE INTERPRETATION

(Article I Sec 74-61 thru 68) (Follow Requirements of 110-ART II Div. 3) (Fees Sec 22-455)

- Variance of Municipal Code (Sec 22-454 or Sec:46-40 Art I)
- Variance of Setback(s) Variance of Height
- Variance of ART. II FLOOD HAZARD AREA DEVELOPMENT Sec 46-40
- Variance of Signs ART XIII (Sec 110:661- 679)
- Variance of Article XIV Pro-Diversity Construction Standards (Sec 22:451 - 454 per req. of CHPTR 110 ART II Div 3)
- Interpretation of: District Use Classification List (Sec 110:291) Interpretation of Unclassified or Unspecified Uses (Sec. 110:10 (4))

APPLICATION for Appeal of Zoning Administrator or Building Official Decision

FEES MUST BE PAID AT TIME OF SUBMITTAL: EACH Petition is \$150.00 PLUS COST OF Legal Publication Fee (minimum of \$100.00) determined by the number of pages type written on 8 1/2 x 11, font of 12.

No. of petitions applied for: ___ X \$150 each petition = \$ _____ + # pages legal for ea. petition @ \$100. ea. _____ = total \$ _____ PLUS WHEN APPLICABLE

Additional Developer Fees per Ord. including Engineering fees, Professional Consultant Fees, Court Reporter Fees, Vacating St., alley or R.O.W. and Preliminary PUD & Subdivision Plat filing fees based on Number of Lots and Courthouse recording fees.

Preliminary PUD Plan & Subdivision Plat Filing Fees are:

\$350 for 1-20 lots; for more than 20 lots \$350 + \$20 for each lot in addition to 20 lots.

Total Number of Lots _____ Amount due \$ _____

HOW MANY COPIES are needed: Fill out "1" ORIGINAL Petition (Pages 1-5) and preferably sign it IN BLUE INK & have it notarized and then make 29 copies of the Original petition. Make 29 (11x17) copies of your detailed Site plan. When required, also submit (6) full size sets of Engineering plans and 3 books of stormwater calculations. Additional drawings may be requested as well as a Sealed Plat of Survey.

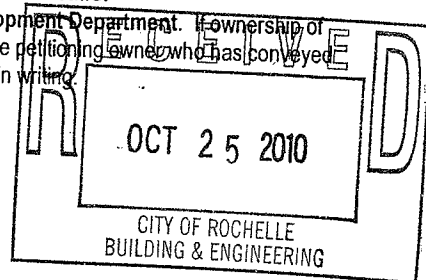
FOR ALL PETITION SUBMITTALS: The Tax Assessors office in Oregon at 815-732-1150 or (Rochelle location at 303 W. Hwy 38, 815-562-6862) can help you with researching the following information for your packet:

- Submit (1) copy of the list of addresses and names of ALL property owners within 250 ft of the outer boundaries of the proposed property.
- Pre-address a 9.5" x 4" legal size envelope for EACH name on the List of Owners within 250' and affix the current postage rate STAMP on each envelope. Please do not use metered postage because it is time dated. Leave the addressed envelopes open to submit to the Community Development office. The City staff will insert the required Public Legal Notice (s) and mail the envelopes.
- Address & add Postage to an envelope(s) to mail to yourself / the Petitioner & / or your Representative.

FOR THE RETURN ADDRESS use: City of Rochelle, Community Development, 420 N. Sixth St. Rochelle, IL 61068

For your convenience, the WEBSITE for the CITY OF ROCHELLE (www.cityofrochelle.net) contains the MUNICIPAL CODE BOOK, ZONING CODES, COMPREHENSIVE PLAN, MAPS and FORMS.

NOTE: Any desire to amend or withdraw application must be submitted in writing to the Community Development Department. If ownership of any part of or all of the real property subject to the petition shall change during the pendency of the petition, the petitioning owner who has conveyed said parcel of real property shall be required to immediately advise the Community Development Department in writing.



PETITION FOR PLANNING AND ZONING COMMISSION

Please answer all the questions thoroughly. If the question does not apply, please mark **NA -Not Applicable**.

DATA OF APPLICANT AND OWNER(S):

TODAYS DATE: 10 / 22 /20 10

Petitioner(s):	Property Owners of Record - See attached Exhibit A	Phone:	(630) 586-8167
Mailing Address:	c/o CenterPoint Properties Trust, Attn: Ed Harrington, 1808 Swift Drive, Oak Brook, Illinois 60523	FAX:	(630) 586-8010
		email:	eharrington@centerpoint-prop.com
Petitioner's Representative:	Kevin P. Breslin - Richmond Breslin LLP	Phone:	(312) 568-4400
Mailing Address:	233 S. Wacker Drive, Suite 5775 Chicago, Illinois 60606	FAX:	(312) 258-0977
		email:	kbreslin@rb-llp.com
Property Owners:	See attached Exhibit A	Phone:	(630) 586-8000
Property Owners Address:	c/o 1808 Swift Drive, Oak Brook, Illinois 60523	FAX:	(630) 586-8010

SUBJECT PROPERTY INFORMATION: ADDRESS, USE AND ZONING OF PROPERTY & LOCATION

1. The petitioner hereby petitions the City of Rochelle for the following property:
 - a. **Legal Description**
 (Attach the FULL legal description in type written format on an 8 1/2 x 11 separate sheet of paper AND preferably EMAIL the Legal Description to the Community Development Director in Word format as follows: climas@hub-city.net & cc: amott@hub-city.net If you do not have email then copy the legal description as typed on your computer onto a CD in Word Format and submit your packet.
 Subdivision Name: CenterPoint Intermodal Center Rochelle Phase One and unsubdivided vacant land - See Exhibit B
 Property Identification No. (PIN) including Township, Range, Section and Lot # See Exhibit B
 - b. **Street Address and Common Location:** +/- 360 acres located north of Illinois Route 38 and south of right of way of Burlington Northern Santa Fe Railroad, Rochelle, Illinois
 - c. **Current Zoning** I-1 Light (Limited) Industry District

GENERAL CASE INFORMATION

2. a. **Describe Reason for Request and Specify Section(s) of Ordinance sought:** In general, Sections 86 and 110 of the City of Rochelle Municipal Code. Petitioners request the following:
 1. Reclassify the Overall Property from I-1 Light (Limited Industry District) to I-2 General Industrial District.
 2. Phase 2 Plat - Subdivide Lot 1 of CenterPoint Intermodal Center Rochelle Phase One
 3. Phase 3 Plat - Subdivide vacant land and resubdivide existing portions of CenterPoint Intermodal Center Rochelle Phase One and CenterPoint Intermodal Center Rochelle Phase Two
- b. **Are you requesting a CONDITIONAL/SPECIAL USE PERMIT?** YES NO If yes please indicate which Permitted Conditional Use is Sought & state the Specific Use Requested.
- c. **Are you requesting any variances?** Yes No
If yes, list individually and then answer the Variation Criteria below (d,e,f,g)

VARIATION CRITERIA -The ordinance requires that the conditions set forth in the following questions/statements must be established before your request can be continued. Sec 110-104

d. State your reason(s) why the strict application of the above-referenced provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardship inconsistent with the general purpose or intent of the Zoning Ordinance of the City of Rochelle. _____

e. Explain the exceptional circumstance(s) or condition(s) applicable to the subject property or to the intended use or development of the subject property that do not apply generally to other properties in the same zoning district or neighborhood. _____

f. Has the alleged difficulty or hardship been created by any person presently having an interest in the property? _____

g. Describe the proposed use; characteristics such as operating hours, number of employees, capacity of facility, etc; _____

VACATION OF STREET OR ALLEY

3. If this petition is for a vacation of a street or an alley, how many properties about the property to be vacated? N/A
 Attach approving signatures of at least 50% of the property owners whose property about the right-of-way to be vacated.

PARCEL DIMENSIONS, ACREAGE & JURISDICTION DESIGNATION, STRUCTURE & LAND USE and PROPOSED SUBDIVISION NAME

4. a. Parcel Dimensions: Irregular Acreage: +/- 360 acres

b. Jurisdiction Ogle County Lee County Village of Hillcrest other please specify _____

_____ and designation of existing Zoning District: I-1 Light (Limited)
Industry District

Explain Present Structure and Land Use Warehouse distribution, detention pond and vacant land

c. If applicable, the proposed Subdivision name is CenterPoint Intermodal Center Rochelle Phase Two; CenterPoint Intermodal Center Rochelle Phase Three

d. LIST THE PROPOSED STREET NAMES. New street names cannot be duplicated of any existing names anywhere in the City.

Phase 2 - No new streets will be created.

Phase 3 - CenterPoint Drive; CenterPoint Court; Industrial Drive

e. Is the property on Hwy 251 or Rt 38 or Between Caron Rd. on 38 to Dement or between 15th St & W. Hwy 38. or on Flagg Road. Is the property within 500 ft. of an existing or proposed right of way of a freeway, expressway, interstate, controlled access traffic way, intersection or Railroad, or within 1500 ft. of an existing or proposed interchange or turning lane. If yes to any of these questions review must be made by the highway or county road agency. Yes No. If yes, please explain the proximity of the above: The southern boundary of the property runs along Illinois Route 38.

FLOODPLAIN INFORMATION

5. **Property** is in or near a flood plain. Yes No Floodplain Elevation: _____
FLOODPLAIN: Panel Number: _____ Panel Date: _____

VIOLATIONS OR APPEALS

6. Is the purpose of this application to address an **Ordinance Code Violation**? Yes No
 If yes, what is the violation(s)? _____

 Has a permit been applied for and denied? Yes No
 Was a previous appeal made with respect to these premises? Yes No
 If yes, please explain: _____

COMPREHENSIVE PLAN, IMPACTS & CONFLICTS

- 7a. What is the Proposed Comprehensive Plan Zoning and Use? To rezone the property to I-2 General Industrial District in order to get potential rail service to the Overall Property.
- b. Is the proposed use in Conformance with the City's Comprehensive Plan? Yes No _____
- c. How will the proposed use impact **existing and future** land uses? The proposed rezoning will allow for the potential to get rail service to the Overall Property and will be compatible and consistent with the other rail service sites in the area.
- d. How will the proposed use impact **adjacent** property values? The proposed rezoning will not adversely affect the adjacent property values as it will provide for continuity and orderly development of the Overall Property and enhance the likelihood of development.

8. **Current Water Supply and Wastewater Treatment (check applicable items):**

WASTEWATER Septic System Sanitary Sewer Other _____ Water: Individual Well Community Water

Describe Proposal for **future** Water Supply: services from the City of Rochelle

Describe Proposal for **future** Wastewater Treatment - services from the City of Rochelle

9. **TANKS** - Are you aware of any Tanks above or below ground on the property? Yes No If yes, list number of tanks, size of each and location on property. _____

10. Will any part of **proposed structure or project** be used to house any of the following? Yes No
 If yes, check **each** that applies:

<input type="checkbox"/> Flammable Liquids	<input type="checkbox"/> Hazardous Chemicals	<input type="checkbox"/> Above ground Tanks
<input type="checkbox"/> Flammable or Fume Hazard Gases	<input type="checkbox"/> Highly Flammable Materials	<input type="checkbox"/> Below ground Tanks
<input type="checkbox"/> Dust Producing Machines	<input type="checkbox"/> Paint Dipping or Spraying	
<input type="checkbox"/> Storage of Corrosive Liquids	<input type="checkbox"/> OTHER	

Additional Explanation: _____

SIGNATURES

11. Please check one: This property is not in a trust. This property is in a trust. (Have Trustee complete this page).

Signature _____ Date _____

Name of Trustee (s) _____

Name of Beneficiaries: _____

The petitioner has read and completed all of the above information and affirms that it is true and correct.

Petitioner's Signature: See attached signature pages _____ Date: _____

Petitioner's Signature: _____ Date: _____

Subscribed and sworn to before me this _____ day of _____, 20____

(Seal)

Notary Public

I hereby affirm that I am the legal owner (or authorized agent or representative- *Proof Attached*) of the subject property and authorize the petitioner to pursue this petition as described above.

Owner's Signature: See attached signature pages _____ Date: _____

Owner's Signature: _____ Date: _____

Subscribed and sworn to before me this _____ day of _____, 20____

(Seal)

Notary Public

PETITIONERS AND OWNERS SIGNATURE PAGES

ROCHELLE DEVELOPMENT JOINT VENTURE, LLC,
a Delaware limited liability company

By: CenterPoint Properties Trust, a Maryland real estate investment trust, its manager

By: [Signature]
Name: Edward R. Harrington
Title: Senior Vice President

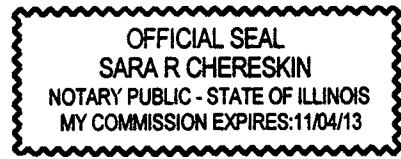
By: [Signature]
Name: Michael J. Kraft
Title: EVP Chief Financial Officer

STATE OF ILLINOIS }
COUNTY OF DuPage }

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Edward Harrington and Michael Kraft as Senior Vice President and EVP, Chief Financial Officer respectively, of CenterPoint Properties Trust, the manager of Rochelle Development Joint Venture, LLC, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as said officers, 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 trust and limited liability company for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 21st day of October, 2010.

[Signature]
NOTARY PUBLIC



**ROCHELLE DEVELOPMENT LOT 1, LLC, a Delaware
limited liability company**

By: Highway 38 Investors LLC, a Delaware limited liability
company, its Member

By: UBS Realty Investors LLC, a Massachusetts
limited liability company, its Manager

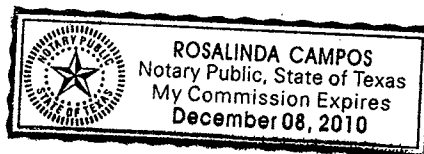
By: [Signature]
J. Raymond Frazier
Its: Director

STATE OF Texas }
COUNTY OF DALLAS }

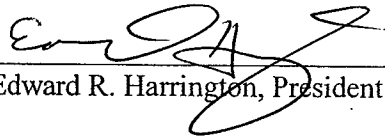
I, the undersigned, a Notary Public in and for said County, in the State aforesaid,
DO HEREBY CERTIFY that J. Raymond Frazier, as Director of UBS Realty Investors
LLC, Manager of Highway 38 Investors LLC, Member of Rochelle Development Lot 1,
LLC, who is personally known to me to be the same person whose name is subscribed to
the foregoing instrument as said officer, appeared before me this day in person and
acknowledged that he signed and delivered the said instrument as his own free and
voluntary act and as the free and voluntary act of said limited liability company for the
uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 22nd day of October, 2010.

[Signature]
NOTARY PUBLIC



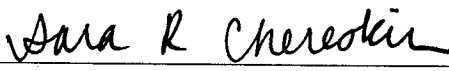
**CENTERPOINT INTERMODAL CENTER ROCHELLE
PROPERTY OWNERS ASSOCIATION, an Illinois not for
profit corporation**

By: 
Edward R. Harrington, President

STATE OF ILLINOIS
COUNTY OF DuPage }

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Edward R. Harrington, as President of CenterPoint Intermodal Center Rochelle Property Owners Association, who is personally known to me to be the same persons whose name is subscribed to the foregoing instrument as said officer, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act and as the free and voluntary act of said corporation for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 21st day of October, 2010.


NOTARY PUBLIC

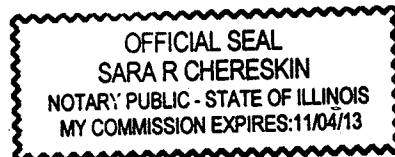


EXHIBIT A

LIST OF PROPERTY OWNERS

1. Rochelle Development Joint Venture, LLC, a Delaware limited liability company
2. Rochelle Development Lot 1, LLC, a Delaware limited liability company
3. CenterPoint Intermodal Center Rochelle Property Owners Association, an Illinois not for profit corporation

EXHIBIT B

LEGAL DESCRIPTIONS

**LEGAL DESCRIPTION FOR +/- 360 ACRES TO BE REZONED FROM I-1 TO I-2
(“OVERALL PROPERTY”)**

THE PROPERTY CONSISTS OF APPROXIMATELY 366.465 ACRES LOCATED NORTH OF ILLINOIS STATE ROUTE 38, AND SOUTH OF THE RIGHT OF WAY OF THE BURLINGTON NORTHERN SANTA FE RAILROAD IN THE CITY OF ROCHELLE, OGLE COUNTY, ILLINOIS AND IS LEGALLY DESCRIBED AS FOLLOWS:

PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15 AND PART OF SECTION 22, ALL IN TOWNSHIP 4.0 NORTH, RANGE 1 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST COMER OF THE SOUTHEAST QUARTER OF SAID SECTION 22; THENCE NORTH 89 DEGREES 56 MINUTES 29 SECONDS EAST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 1047.89 FEET; THENCE NORTH 0 DEGREES 03 MINUTES 31 SECONDS WEST PERPENDICULAR TO THE LAST DESCRIBED COURSE, A DISTANCE OF 412.00 FEET; THENCE NORTH 89 DEGREES 56 MINUTES 29 SECONDS EAST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 296.00 FEET; THENCE SOUTH 0 DEGREES 03 MINUTES 31 SECONDS EAST PERPENDICULAR TO THE LAST COURSE, A DISTANCE OF 412.00 FEET TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 56 MINUTES 29 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 795.98 FEET; THENCE NORTH 0 DEGREES 07 MINUTES 29 SECONDS WEST, A DISTANCE OF 3540.17 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN RAILROAD; THENCE NORTH 56 DEGREES 44 MINUTES 02 SECONDS WEST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1385.95 FEET; THENCE NORTH 59 DEGREES 17 MINUTES 33 SECONDS WEST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 560.00 FEET; THENCE NORTH 56 DEGREES 44 MINUTES 02 SECONDS WEST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2174.76 FEET TO THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE SOUTH 0 DEGREES 11 MINUTES 23 SECONDS EAST ALONG SAID WEST LINE, A DISTANCE OF 502.16 FEET TO THE NORTHWEST COMER OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 22; THENCE SOUTH 0 DEGREES 04 MINUTES 25 SECONDS EAST ALONG THE WEST LINE OF SAID EAST HALF, A DISTANCE OF 2639.04 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 22; THENCE SOUTH 0 DEGREES 03 MINUTES 57 SECONDS EAST ALONG THE WEST LINE OF SAID EAST HALF, A DISTANCE OF 2639.79 FEET TO THE SOUTHWEST COMER OF SAID EAST HALF; THENCE NORTH 89 DEGREES 56 MINUTES 57 SECONDS EAST ALONG THE SOUTH LINE OF SAID EAST HALF, A DISTANCE OF 1315.93 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ROCHELLE, OGLE COUNTY, ILLINOIS, EXCEPTING THEREFROM PROPERTY DEDICATED OR CONVEYED TO THE STATE OF ILLINOIS AND BRUSH GROVE DRAINAGE DISTRICT.

PINS: 24-22-100-003
24-22-100-004
24-22-200-003
24-22-400-010
24-15-377-001
24-22-300-009
24-22-300-010
24-22-300-011
24-22-400-008
24-22-400-009

Lot 3, CenterPoint Intermodal Center Rochelle Phase One
Part of Lot 1, CenterPoint Intermodal Center Rochelle Phase One (north)
Part of Lot 1, CenterPoint Intermodal Center Rochelle Phase One (south)
Lot 2, CenterPoint Intermodal Center Rochelle Phase One
Outlot A, CenterPoint Intermodal Center Rochelle Phase One

**LEGAL DESCRIPTION FOR PROPOSED CENTERPOINT INTERMODAL CENTER
ROCHELLE PHASE TWO ("PHASE 2")**

LOTS 4 AND 5 OF CENTERPOINT INTERMODAL CENTER ROCHELLE PHASE TWO, A RESUBDIVISION OF PART OF SECTION 22, TOWNSHIP 40 NORTH, RANGE 1 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED ON _____, AS DOCUMENT NUMBER _____ IN OGLE COUNTY, ILLINOIS.

PINS: 24-22-300-010 Part of Lot 1, CenterPoint Intermodal Center Rochelle Phase One (north)
24-22-300-011 Part of Lot 1, CenterPoint Intermodal Center Rochelle Phase One (south)

**LEGAL DESCRIPTION FOR PROPOSED CENTERPOINT INTERMODAL CENTER
ROCHELLE PHASE THREE ("PHASE 3")**

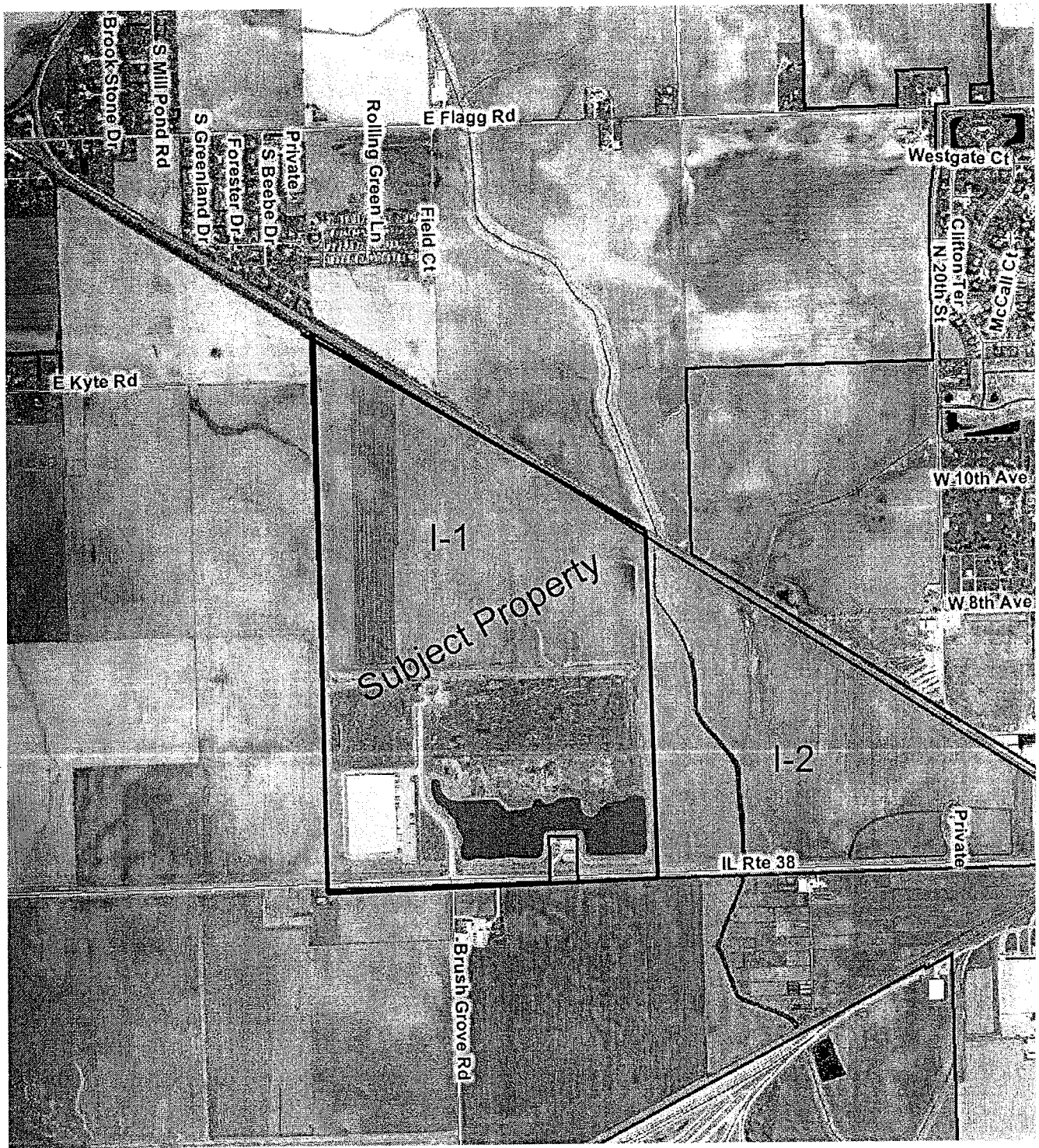
PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15 AND PART OF SECTION 22; ALL OF LOT 2 OF CENTERPOINT INTERMODAL CENTER ROCHELLE PHASE ONE, A SUBDIVISION RECORDED ON JULY 24TH 2007 AS DOCUMENT NO. 0707621, AS RECORDED IN THE OGLE COUNTY RECORDER'S OFFICE; ALL OF LOT 5 OF CENTERPOINT INTERMODAL CENTER ROCHELLE PHASE TWO, A SUBDIVISION RECORDED IN THE OGLE COUNTY RECORDER'S OFFICE, ALL IN TOWNSHIP 40 NORTH, RANGE 1 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 22; THENCE SOUTH 89 DEGREES 56 MINUTES 57 SECONDS WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1315.93 FEET TO THE SOUTHWEST CORNER OF THE EAST-HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 22; THENCE NORTH 00 DEGREE 03 MINUTES 57 SECONDS WEST ALONG THE WEST LINE OF SAID EAST-HALF AND WEST LINE OF LOT 1 OF CENTERPOINT INTERMODAL CENTER ROCHELLE PHASE ONE, A SUBDIVISION RECORDED ON JULY 24TH 2007 AS DOCUMENT NO. 0707621, AS RECORDED IN THE RECORDER'S OFFICE OF OGLE COUNTY, ILLINOIS, A DISTANCE OF 1133.10 TO THE SOUTHWEST CORNER OF LOT 5 OF CENTERPOINT INTERMODAL CENTER ROCHELLE PHASE TWO, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED TRACT OF LAND; THENCE CONTINUING NORTH 00 DEGREE 03 MINUTES 57 SECONDS WEST ALONG THE WEST LINE OF SAID EAST-HALF AND THE WEST LINE OF SAID LOT 5, A DISTANCE OF 1506.69 FEET TO THE SOUTHWEST CORNER OF THE EAST-HALF OF THE NORTHWEST QUARTER OF SAID SECTION 22; THENCE NORTH 00 DEGREE 04 MINUTES 25 SECONDS WEST ALONG THE WEST LINE OF SAID EAST-HALF, A DISTANCE OF 2639.04 FEET TO THE SOUTHWEST CORNER OF THE EAST-HALF OF THE SOUTHWEST QUARTER OF SECTION 15; THENCE NORTH 00 DEGREE 11 MINUTES 23 SECONDS WEST ALONG THE WEST LINE OF SAID EAST-HALF, A DISTANCE OF 502.16 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD; THENCE SOUTH 56 DEGREES 44 MINUTES 02 SECONDS EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2174.76 FEET; THENCE SOUTH 59 DEGREES 17 MINUTES 34 SECONDS EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 560.00 FEET; THENCE SOUTH 56 DEGREES 44 MINUTES 02 SECONDS EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1382.95 FEET ; THENCE SOUTH 00 DEGREE 07 MINUTES 29 SECONDS EAST, A DISTANCE OF 2260.71 FEET TO THE SOUTHEAST CORNER OF LOT 2 OF SAID CENTERPOINT INTERMODAL CENTER ROCHELLE PHASE ONE; THENCE SOUTH 89 DEGREES 52 MINUTES 41 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 2398.50 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 00 DEGREE 03 MINUTES 57 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 543.67 FEET; THENCE SOUTH 89 DEGREE 56 MINUTES 03 SECONDS WEST, A DISTANCE OF 80.00 FEET TO THE EAST LINE OF LOT 5 OF SAID CENTERPOINT INTERMODAL CENTER ROCHELLE PHASE TWO; THENCE SOUTH 00 DEGREE 03 MINUTES 57

SECONDS EAST ALONG THE EAST LINE OF SAID LOT 5, A DISTANCE OF 640.29 FEET TO THE SOUTHEAST CORNER OF SAID LOT 5; THENCE SOUTH 89 DEGREES 52 MINUTES 41 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 5, A DISTANCE OF 236.54 FEET; THENCE SOUTH 00 DEGREE 06 MINUTES 42 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 45.93 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 18 SECONDS WEST ALONG SAID SOUTH LINE, A DISTANCE OF 739.50 FEET TO THE POINT OF BEGINNING, CONTAINING 269.877 ACRES, MORE OR LESS, ALL SITUATED IN THE CITY OF ROCHELLE, THE TOWNSHIP OF FLAGG, THE COUNTY OF OGLE AND THE STATE OF ILLINOIS.

PINS: 24-22-100-003
24-22-100-004
24-22-200-003
24-22-400-010
24-15-377-001
24-22-300-010
24-22-400-008

Part of Lot 1, CenterPoint Intermodal Center Rochelle Phase One (north)
Lot 2, CenterPoint Intermodal Center Rochelle Phase One



Case PZC-11-12 CenterPoint Rezoning (Public Hearing)