

NOTICE TO ALL APPLICANTS

RE: REIMBURSEMENT OF THIRD PARTY SERVICE CHARGES (ESCROW AGREEMENT)

PLEASE BE ADVISED THAT DURING THE COURSE OF CONSIDERING A PETITION (APPLICATION) REQUEST, THE VILLAGE WILL OFTEN TIMES NEED TO CALL ON THE SERVICES OF OUTSIDE PROFESSIONAL CONSULTANTS TO ASSIST WITH REVIEW AND EVALUATION. PROFESSIONAL CONSULTING MAY INCLUDE LEGAL, TRAFFIC ENGINEERING, LAND PLANNING, ZONING, AND CIVIL ENGINEERING SERVICES. ESTABLISHED BY ORDINANCE #2005-94, EVERY PETITION FILED AND PROCESSED PURSUANT TO THE MUNICIPAL CODE AND/OR ZONING ORDINANCE IS REQUIRED TO SIGN A COST RECOVERY AGREEMENT (ESCROW AGREEMENT).

THE ESCROW AGREEMENT AND ESTIMATED AGREEMENT DOLLAR AMOUNT IS PROVIDED TO THE APPLICANT BY COMMUNITY DEVELOPMENT DEPARTMENT STAFF DURING A PRE-APPLICATION MEETING WHERE THE PROPOSED PROJECT IS DISCUSSED. FOR YOUR REFERENCE AND USE, A DIGITAL VERSION OF THE AGREEMENT CAN ALSO BE FOUND AT THE VILLAGE OF GURNEE WEBSITE UNDER THE "APPLICATION" SECTION IN THE COMMUNITY DEVELOPMENT DEPARTMENT'S WEBSITE (www.gurnee.il.us/community_dev/applications).

QUESTIONS?

IF YOU HAVE QUESTIONS, PLEASE CONTACT THE MEMBER OF THE PLANNING & ZONING DIVISION TEAM THAT ASSISTED YOU OR YOU CAN CONTACT OUR GENERAL PHONE NUMBER AT 847-599-7550. *WHEN YOU CALL, PLEASE STATE THAT YOU HAVE QUESTIONS FOR PLANNING ABOUT AN ESCROW AGREEMENT.*

ESCROW AGREEMENT

THIS AGREEMENT ("*Agreement*") is made and entered into as of _____, 20____, by and between the VILLAGE OF GURNEE ("*Village*") and the _____ ("*Petitioner*").

IN CONSIDERATION OF the recitals and mutual covenants and agreements set forth herein, the receipt and sufficiency of which are hereby mutually acknowledged, the parties hereto agree as follows:

SECTION 1. RECITALS.

A. The Petitioner has submitted to the Village for its review and consideration a petition for (_____) (*proposal*), referenced as (_____) (*proposed project name*) and located at (_____) (*project address*).

B. Pursuant to the Gurnee Municipal Code ("*Escrow Regulations*"), applications for approval of development or land use which require public hearing must be accompanied by the application and application fees and the applicant is responsible for payment of any additional costs incurred by the Village, including consultant costs and attorneys' fees, but not including normal operating activities such as internal staff time ("*Reimbursement Costs*").

SECTION 2. CASH DEPOSIT.

Pursuant to the Escrow Regulations, and in connection with the application for the proposed development or land use, the Petitioner agrees to provide a cash escrow deposit to the Village in the amount of \$(_____) to be used towards Reimbursement Costs incurred by the Village in processing the application for approval of the development or land use.

SECTION 3. REPLENISHMENT.

Pursuant to the Escrow Regulations, the Zoning Administrator shall periodically review the Escrow to ensure that adequate funds are available to satisfy the Reimbursement Costs relating to the Petition pending. The Zoning Administrator shall notify the Petitioner at such times when draws are made against the Escrow towards Reimbursement Costs. Subject to the terms of the Escrow Agreement, in the event that the Zoning Administrator determines that sufficient funds are not available, the Zoning Administrator shall so notify the Petitioner at the address noted below and request a further amount to defray the anticipated additional costs. The Zoning Administrator shall determine the further amount due based on the nature of the requests set forth in the pending Petition, its complexity, the relative need for additional legal and other consultant services, and the amount of time remaining before the completion of the Petition process and/or development. The Petitioner shall be given 14 days to deposit the additional funds. In the event that the funds are not deposited, the Village shall take no further action on the pending Petition and/or development and shall so advise the Petitioner, subject to the terms of the Escrow Agreement.

Pursuant to the Escrow Regulations, at the completion of the Development and/or land use Petition process and after all outstanding Reimbursement Costs incurred

