

**RESOLUTION AUTHORIZING THE EXECUTION OF AN  
AGREEMENT WITH PRAIRIE POINTE CENTER DEVELOPMENT LLC**

WHEREAS, the Village of Barrington Hills (the "Village") one is of the beneficiaries of a certain Declaration of Protective Covenants for the Poplar Creek Music Theatre Property, Hoffman Estates, Illinois dated March 7, 1985 (the "Declaration");

WHEREAS, Prairie Pointe Center Development LLC ("Developer") is the owner of certain property within the Prairie Stone business park located in the Village of Hoffman Estates, Illinois commonly known as a portion of Lot 23 containing approximately eighteen and six-tenths (18.6) acres, which property is legally described in Exhibit "A" attached hereto and made a part hereof (collectively, the "Parcel");

WHEREAS, the Parcel is subject to the Declaration, which is recorded with the Cook County Recorder of Deeds as Document No. 27509487;

WHEREAS, the Village, the Village of South Barrington, Illinois ("South Barrington") and Developer intend to enter into an agreement (the "Agreement"), a copy of which is attached as Exhibit "B" hereto and made a part hereof, to provide that the Declaration be released from the Parcel and that new covenants be recorded against the Parcel in replacement thereof (the "Replacement Declaration") and Developer shall pay a fee to the Village and South Barrington as set forth in the Agreement; and

WHEREAS, Developer intends to develop the Parcel in accordance with Section 1 of the Replacement Declaration (the "Project").

NOW, THEREFORE BE IT RESOLVED by the President and the Board of Trustees of the Village of Barrington Hills, Cook, Kane, Lake, and McHenry Counties, Illinois, as a home rule municipality the following:

**Section One.** The Village President is hereby authorized to execute the Agreement substantially on the terms set forth in the copy attached hereto and made a part hereof as Exhibit "B" with such modifications as may be deemed necessary or desirable by the Village President and the Village Attorney.

**Section Two.** If any part or provision of this Resolution shall be held or deemed to be invalid, such invalidity shall not have the affect of rendering another part or provision of this Resolution invalid.

**Section Three.** This Resolution shall be in full force and affect from and after its passage and approval as provided by law.

APPROVED THIS 21st day of December, 2009.

AYES: 6; NAYS: 1; ABSENT: 0.

  
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Village President

ATTEST:

  
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Village Clerk