

Village of Wonder Lake, Illinois  
Ordinance No. 612

**AN ORDINANCE AUTHORIZING AND DIRECTING EXECUTION OF A  
FOURTH AMENDMENT TO AND RESTATEMENT OF THE ANNEXATION AND  
DEVELOPMENT AGREEMENT BY AND AMONG THE VILLAGE OF WONDER  
LAKE, NRB PROPERTIES, LLC, AND D.R. HORTON, INC. – MIDWEST**

Passed by the Board of Trustees

and

Approved by the President

This 28th day of July 2025

Published in pamphlet form by the authority of the President and Village Board of Trustees of  
the Village of Wonder Lake, Illinois.

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LAKE, NRB PROPERTIES, LLC, AND D.R. HORTON, INC. – MIDWEST**

**WHEREAS**, the Village of Wonder Lake (“*Village*”) is an Illinois municipal corporation organized and operating in accordance with the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq* (“*Municipal Code*”); and

**WHEREAS**, pursuant to Section 11-15.1-1 of the Municipal Code, 65 ILCS 5/11-15/1-1, *et seq.*, the Village has the authority to enter into annexation agreements with one or more of the owners of record of land in unincorporated territory; and

**WHEREAS**, on February 4, 2009, the Village entered into a certain Annexation and Development Agreement with WLA530, LLC; NRB Land, LLC; WLM150, LLC; WLC160, LLC; WLM1.24, LLC; WLH100, LLC; NRB Sewer and Water, LLC; and NRB Land Development Group, LLC (“*Original Owners*”), recorded as document number 2009R582 in the official records of McHenry County (“*Original Agreement*”); and

**WHEREAS**, on December 21, 2016, the Village approved an amendment to and restatement of the Original Agreement (“*First Restatement*”); and

**WHEREAS**, on December 5, 2018, the Village approved an amendment to and restatement of the Original Agreement and First Restatement, recorded as document number 2018R42431 in the official records of McHenry County (“*Second Restatement*”); and

**WHEREAS**, on March 6, 2024, the Village approved an amendment to and restatement of the Original Agreement, First Restatement, and Second Restatement (“*Third Restatement*”); and

**WHEREAS**, the Original Agreement, First Restatement, Second Restatement, and Third Restatement relate to the annexation and development of real property located generally in the area north of Illinois Route 120, west of Ringwood Road, south of McCullom Lake Road, and east of East Wonder Lake Road in McHenry County, Illinois (“*Property*”);

**WHEREAS**, since the date of the Original Agreement, mergers and consolidations involving the Original Owners and conveyances of portions of the Property have occurred such that, as of the Effective Date, the Remainder Property is owned by NRB Properties, LLC (“*NRB Owner*”), except for that portion of the Property previously conveyed to D.R. Horton, Inc. – Midwest (“*DRH Owner*”); and

**WHEREAS**, NRB Owner and DHR Owner desire to enter into an amendment to and restatement of the Original Agreement with the Village governing the terms and conditions for the zoning and development of the Property (the “*Fourth Restatement*”), a copy of which attached hereto as *Exhibit A*; and

**WHEREAS**, a public hearing on the Fourth Restatement was noticed and conducted by the Village Board of Trustees on July 28, 2025; and

**WHEREAS**, the Village President and Board of Trustees find that approving the Fourth Restatement is in the best interests of the Village and its residents.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Wonder Lake, McHenry County, Illinois (the "*Corporate Authorities*"), as follows:

**SECTION ONE: Recitals.** The recitals listed above are incorporated into this Ordinance as if fully set forth in this Section 1.

**SECTION TWO: Approval; Authorization.** Subject to attorney review, the Corporate Authorities of the Village of Wonder Lake hereby approve the Fourth Restatement in substantially the form attached to this Ordinance as Exhibit A, with such necessary non-substantive changes related to form, structure, and organization as may be approved by the Village President. The Village President and Village Clerk are hereby authorized and directed to execute and attest, respectively, the Fourth Restatement on behalf of the Village.

**SECTION THREE: Recordation.** The Village Clerk is hereby authorized and directed to record the Fourth Restatement on behalf of the Village upon receipt of a fully executed copy and in accordance with the terms of the Fourth Restatement

**SECTION FOUR: Severability.** The various provisions of this Ordinance are to be considered as severable, and if any Court of competent jurisdiction shall hold any part or portion of this Ordinance invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance.

**SECTION FIVE: Repeal and Savings Clause.** All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or cause of action which shall have accrued to the Village of Wonder Lake prior to the effective date of this Ordinance.

**SECTION SIX: Effective Date.** This Ordinance shall be in full force and effect after its passage and approval.

*[Approval and signature page follows]*

**ROLL CALL VOTE:**

**AYES:** *Houston, Johnson, Koeune, Palys, Reinhard, Tollini*

**NAYS:** *None*

**PASSED:** July 28, 2025

**APPROVED:** July 28, 2025

  
\_\_\_\_\_  
Dan Dycus, Village President

**ATTEST:**

  
\_\_\_\_\_  
Jo-Ellen McIntosh, Village Clerk

**CERTIFICATION**

I, the undersigned, do hereby certify that I am the Village Clerk of the Village of Wonder Lake, McHenry County, Illinois, and that the foregoing is a true, complete and exact copy of Ordinance 612 enacted on July 28, 2025, and approved on July 28, 2025, as the same appears from the official records of the Village of Wonder Lake.

  
\_\_\_\_\_  
Jo-Ellen McIntosh, Village Clerk



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**Exhibit A**

***Fourth Restatement***