

**FRED BUCHOLZ**  
DUPAGE COUNTY RECORDER  
JAN.12,2006 8:39 AM  
PLAT 06-09-302-027  
007 PAGES R2006-007601

## ORDINANCE 5758

**VACATING A PORTION OF THE PUBLIC RIGHT OF  
WAY IN AN UNNAMED ALLEY, LOCATED SOUTH OF  
EAST SOUTH BROADWAY STREET, BETWEEN  
HIGHLAND AVENUE AND SCHOOL STREET**

**PINs: 06-09-302-028 through 031  
06-09-302-027  
06-09-302-003 through 005  
06-09-302-032 and 033  
06-09-302-007  
06-09-302-034 and 035  
06-09-302-009 through 012**

**Return To:**

**Village of Lombard  
Department of Community Development  
255 E. Wilson Avenue  
Lombard, IL 60148**

**ORDINANCE NO. 5758**

**ORDINANCE VACATING A PORTION OF THE PUBLIC RIGHT-OF-WAY IN AN UNNAMED ALLEY, LOCATED SOUTH OF EAST SOUTH BROADWAY STREET, BETWEEN HIGHLAND AVENUE AND SCHOOL STREET**

WHEREAS, a sixteen (16) foot wide public right-of-way exists in an unnamed alley, a portion of which is located south of East South Broadway Street, between Highland Avenue and School Street, and abuts the south boundary of the residential properties located adjacent to East South Broadway Street, which properties are commonly known as 803 to and including 901 East South Broadway Street in the Village of Lombard, Illinois (the portion of the 16 foot right-of-way is herein called the "Alley"); and

WHEREAS, said Alley is unimproved and no public utilities are located within it; and

WHEREAS, the Alley no longer serves the motor vehicle transportation or pedestrian needs of the Village; and

WHEREAS, the Alley does not serve the utility needs of the Village; and

WHEREAS, the Alley is currently fenced as part of the respective parcels of land to which title is being transferred under this Ordinance; and

WHEREAS, pursuant to 65 ILCS 5/11-91-1, an ordinance vacating a street or alley can provide that it shall not become effective until the owner of a particular parcel of property abutting upon the street or alley to be vacated pays compensation to the municipality in an amount which, in the judgment of the corporate authorities, shall be the fair market value of the property acquired or of the benefits which will accrue to said owner by reason of the vacation; and

WHEREAS, pursuant to 65 ILCS 5/11-91-1, if the ordinance vacating a street or alley provides that only the owner of a particular parcel abutting upon the street or alley to be vacated shall make the aforementioned compensation payment, then said owner of said particular parcel shall acquire title to the entire vacated street or alley; and

WHEREAS, the owners of the residential properties intended to acquire title to the respective portions of the Alley pursuant to this Ordinance have, as consideration for that transfer, granted the Village of Lombard an equal or greater portion of their land for dedication as public right-of-way for East South Broadway Street, said consideration being equivalent to or

exceeding the fair market value of the respective vacated portions acquired and the benefits which will accrue to said owners by reason of the vacation; and

WHEREAS the Corporate Authorities deem it to be in the best interest of the Village of Lombard to authorize the vacation of the Alley; and

WHEREAS, the Corporate Authorities of the Village of Lombard shall execute a Plat of Vacation, the form of which is attached hereto as Exhibit "A".

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: It is hereby determined that the public interest will be subserved by vacating the Alley, as provided herein.

SECTION 2: The Alley shown in the Plat of Vacation, a copy of which is attached hereto as Exhibit "A" and designated "hereby vacated", is legally described as follows:

THAT PART OF THE 16.00' EAST AND WEST PUBLIC ALLEY LYING WEST OF THE WEST LINE OF THE EAST 10.00 FEET OF LOT 17 AND EAST OF THE WEST LINE OF LOT 7 (SAID WEST LINE ALSO KNOWN AS EAST LINE OF HIGHLAND AVENUE) IN THE RESUBDIVISION OF LOTS 10 TO 27 INCLUSIVE IN ROBERTSON'S WESTMORE, BEING A SUBDIVISION OF THAT PART OF THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 2, 1925 AS DOCUMENT 202421, IN DUPAGE COUNTY, ILLINOIS,

SECTION 3: Pursuant to 65 ILCS 5/11-91-1, the Alley is hereby vacated. The following listed properties shall acquire fee simple title to that portion of the Alley, as shown in the Plat of Vacation, Exhibit A, in the percentage interest as hereinafter set forth next to each respective property:

|                |                                      |                 |
|----------------|--------------------------------------|-----------------|
| 06-09-302-003- | 803 East South Broadway, Lombard, IL | 100% fee simple |
| 06-09-302-004- | 807 East South Broadway, Lombard, IL | 100% fee simple |
| 06-09-302-005- | 811 East South Broadway, Lombard, IL | 100% fee simple |
| 06-09-302-032- | 815 East South Broadway, Lombard, IL | 50% fee simple  |
| 06-09-302-033- | 815 East South Broadway, Lombard, IL | 50% fee simple  |
| 06-09-302-007- | 819 East South Broadway, Lombard, IL | 100% fee simple |

|                |                                      |                 |
|----------------|--------------------------------------|-----------------|
| 06-09-302-034- | 823 East South Broadway, Lombard, IL | 50% fee simple  |
| 06-09-302-035- | 823 East South Broadway, Lombard, IL | 50% fee simple  |
| 06-09-302-009- | 827 East South Broadway, Lombard, IL | 100% fee simple |
| 06-09-302-010- | 831 East South Broadway, Lombard, IL | 100% fee simple |
| 06-09-302-011- | 835 East South Broadway, Lombard, IL | 100% fee simple |
| 06-09-302-012- | 901 East South Broadway, Lombard, IL | 100% fee simple |

Upon the transfer of the respective portion of the Alley to 803 East South Broadway, Lombard, IL, with the assigned PIN of 06-09-302-003 ("PIN-003"), as above provided, the Westernmost 29 feet of the Alley shall be contiguous with PIN-003. The owner of the property of PIN-003 is also the fee simple title owner of the real property assigned PIN 06-09-302-028 ("PIN-028") and as the owner of PIN 028 transferred an equal or greater portion its land for dedication of the public right-of-way for East Broadway Street, in consideration for the transfer of the Westernmost 29 feet of the Alley. Therefore, the Westernmost 29 feet of the Alley is hereby vacated and 100% fee simple title is transferred to the owner of PIN-003.

SECTION 4: That the Corporate Authorities of the Village of Lombard are hereby authorized to execute the Plat of Vacation.

SECTION 5: That the Department of Community Development is hereby directed to record a certified copy of this Ordinance, along with the original Plat of Vacation, with the DuPage County Recorder of Deeds.

SECTION 5: That this ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

First reading waived by action of the Board of Trustees this 3rd day of November, 2005.

Passed on second reading this 3rd day of November, 2005.

Ayes: Trustees Gron, Tross, O'Brien, Sebby, Florey and Soderstrom

Nayes: None

Absent: None

Approved this 3rd day of November, 2005.

Ordinance No. 5758

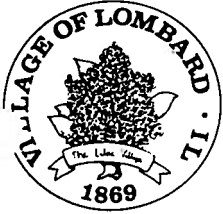
Re: Alley Vacation 801-903 E. South Broadway

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William J. Mueller, Village President

ATTEST:

  
Brigitte O'Brien, Village Clerk



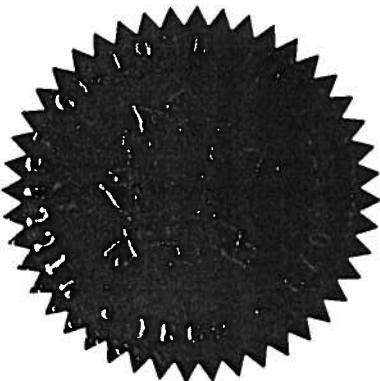
I, **Brigitte O'Brien**, hereby certify that I am the duly qualified Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

I further certify that attached hereto is a true and correct copy of ORDINANCE 5758

AN ORDINANCE VACATING A PORTION OF THE PUBLIC RIGHT-OF-WAY IN AN UNNAMED ALLEY, LOCATED SOUTH OF EAST SOUTH BROADWAY STREET, BETWEEN HIGHLAND AVENUE AND SCHOOL STREET, LOMBARD, DUPAGE COUNTY, ILLINOIS

of the said Village as it appears from the official records of said Village duly passed on November 3, 2005.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 30<sup>th</sup> day of November, 2005.



*Brigitte O'Brien*

Brigitte O'Brien  
Village Clerk  
Village of Lombard  
DuPage County, Illinois

## E. South Broadway Property Owners

| PIN           | Property Owners                      |
|---------------|--------------------------------------|
| 06-09-301-016 | Heckman, Mark S.                     |
| 06-09-301-019 | Villa Park Trust & Saving Bank       |
| 06-09-301-020 | Westergren, Daryl G. & Hope L.       |
| 06-09-301-021 | Romero, Israel                       |
| 06-09-301-022 | Crivelli, Geurino P.                 |
| 06-09-301-023 | North Star Trust Co., Trust No. 9365 |
| 06-09-302-003 |                                      |
| 06-09-302-028 | DiFetta, Joseph M. & Sylvia M.       |
| 06-09-302-004 | Hostetler, Errol & Noelle            |
| 06-09-302-005 | Zamarlik, Tadeuz & Eva               |
| 06-09-302-007 | Czerkies, Wojciech & Renata          |
| 06-09-302-009 | Iwanowski, George & Isabel           |
| 06-09-302-010 | Reedy, Donna D.                      |
| 06-09-302-011 | Maldonado, Ernesto & Maria E.        |
| 06-09-302-012 | Tasch, Fritz & Emily                 |
| 06-09-302-013 | Tasch, Fritz & Emily                 |
| 06-09-302-014 | Tasch, Fritz & Emily                 |
| 06-09-302-029 | DiFetta, Joseph M. & Sylvia M.       |
| 06-09-302-031 | Hanley, Terrence M.                  |
| 06-09-302-032 | Lyva, Evelyn                         |
| 06-09-302-033 | Landup, Steven & Milia               |
| 06-09-302-034 | Murphy, Kimberly                     |
| 06-09-302-035 | Lindquist, Randall, & Lois D.        |
| 06-09-303-001 | Moscosa, Martin                      |
| 06-09-303-003 | Hock, James G. & Frenesi M. Hock     |
| 06-09-303-012 | Deckworth, Laverine                  |
| 06-09-303-013 | Hernandez, Juan                      |