## VILLAGE OF LOMBARD
## REQUEST FOR BOARD OF TRUSTEES ACTION
### For Inclusion on Board Agenda

__X__ Resolution or Ordinance (Blue)  ___ Waiver of First Requested
_____ Recommendations of Boards, Commissions & Committees (Green)
_____ Other Business (Pink)

**TO** : PRESIDENT AND BOARD OF TRUSTEES

**FROM:** Scott R. Niehaus, Village Manager

**DATE :** January 24, 2023  **(BOT) Date:** February 2, 2023

**SUBJECT:** Cortland Avenue Right-of-Way Dedication

**SUBMITTED BY:** William J. Heniff, AICP, Director of Community Development

**BACKGROUND/POLICY IMPLICATIONS:**
The Department of Community Development transmits for your consideration a request for a plat of dedication for Cortland Avenue right-of-way.

The plat of right-of-way dedication pertains to three Village owned parcels located at the northern termini of Main Street and DuPage Avenue. The proposed dedication would change the status of the parcel from Village owned real estate to the Cortland Avenue publicly dedicated right-of-way. No physical improvements are proposed on the subject properties as part of this action.

Staff recommends approval of the attached Resolution and Plat of Dedication.

**Fiscal Impact/Funding Source:**

Review (as necessary):
Finance Director _____ Date _____
Village Manager _____ Date _____

**NOTE:** All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.

**MEMORANDUM**

TO:              Scott R. Niehaus, Village Manager

FROM:         William J. Heniff, AICP, Director of Community Development

MEETING DATE: February 2, 2023

SUBJECT:    **Cortland Avenue Right-of-Way- Dedication**


Staff is bringing forward a plat of right-of-way dedication for three Village owned parcels located at the northern termini of Main Street and DuPage Avenue for Village Board consideration. The proposed dedication would change the status of the parcel from Village owned real estate to the Cortland Avenue publicly dedicated right-of-way. No physical improvements are proposed on the subject properties as part of this action.

## BACKGROUND

In 1990, the Village undertook a feasibility study for a connector roadway between Main Street and DuPage Avenue in the Lombard Industrial Park. The study's purpose was to select an alignment and costs to construct a connecting roadway. The Illinois Department of Transportation (IDOT) indicated the necessity for this roadway in order to widen North Avenue and eliminate the existing frontage road between Main Street and Lombard Avenue. The proposed median for North Avenue would only provide access at Main Street and Lombard Avenue with right turns only. At the time there was a connector roadway between Ridge Avenue and Lombard Avenue but not between Main Street and DuPage Avenue. All alternatives were studied. Improving circulation within the Industrial District and North Avenue was the collective goal with the chosen configuration represented in the attached documents.

In 1994-1996, the three parcels (03-31-402-037, 03-31-402-038 and 03-31-402-041) for the Cortland Avenue connector roadway project were acquired by the Village. The existing Cortland Avenue street was constructed, but the land was not formally dedicated as a public right-of-way upon its construction completion, similar to other streets in the Village. To prefect the intention of the past Village actions and given that the subject properties would not be utilized for any other public purpose than public rights-of-way, a Plat of Dedication was prepared for Village Board consideration.

Please find the following items for Village Board consideration as part of the February 2, 2023 Board meeting:

1.  Aerial Map;
2.  Plat of Dedication for Public Right-of-Way;
3.  Resolution.

**<u>ACTION REQUESTED</u>**
Staff recommends approval of the attached Resolution and Plat of Dedication.

# AERIAL MAP OF NORTH AVENUE INDUSTRIAL PARK AND
# THE CORTLAND AVENUE STREET SEGMENT (TO BE RIGHT-OF-WAY)

# RESOLUTION
## R_____23

## A RESOLUTION ACCEPTING A CERTAIN PLAT OF DEDICATION
## FOR PUBLIC RIGHT-OF-WAY (CORTLAND AVENUE)
## IN LOMBARD, ILLINOIS

WHEREAS, the Corporate Authorities of the Village of Lombard have received a plat of right-of-way dedication for the following unaddressed property:

| Name | P.I.N |
|---|---|
| Village of Lombard | 03-31-402-037 |
| Village of Lombard | 03-31-402-038 |
| Village of Lombard | 03-31-402-041 |

and a copy of said plat of dedication being attached hereto as Exhibit A and made part hereof; and

WHEREAS, the Village of Lombard is the owner of the subject properties; and

WHEREAS, the subject properties are improved with a street surface that provides public access for vehicles between the Main Street and DuPage Avenue public dedicated rights-of-way; and

WHEREAS, the Village has maintained the subject properties for said access purposes; and

WHEREAS, the Village does not have a need for subject properties other than to meet the transportation needs of the Village.

WHEREAS, the Corporate Authorities deem it to be in the best interest of the Village of Lombard to approve and accept said plat of dedication;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: That the plat of dedication attached hereto as Exhibit A is hereby approved and accepted on behalf of the Village of Lombard.

SECTION 2: That the Village President and Village Clerk are hereby authorized to sign said plat of dedication on behalf of the Village of Lombard.

SECTION 3: That the Community Development Director is hereby directed to file and record a certified copy of this resolution along with the original plat of dedication with the DuPage County Clerk and Recorder.

Resolution No. _____
Page 2


Adopted this _____ day of _____, 2023.

Ayes:_____

Nays:_____

Absent:_____

Approved this _____ day of _____, 2023.



                                        _____
                                        Keith T. Giagnorio
                                        Village President

ATTEST:


_____
Liz Brezinski, Village Clerk

# PLAT OF DEDICATION

OF

PART OF THE SOUTHEAST QUARTER OF SECTION 31 AND THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

P.I.Ns 03-31-402-037
03-31-402-038
03-31-402-041

## LEGAL DESCRIPTION
(OF PROPERTY HEREBY DEDICATED FOR PUBLIC RIGHT OF WAY)

P.I.N. 03-31-402-037

LOT 2 IN ROTHBART-MAIN CONNECTOR RESUBDIVISION, BEING A RESUBDIVISION OF LOT 5 IN LOMBARD INDUSTRIAL PARK UNIT ONE, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 14, 1994 AS DOCUMENT NO. R1994-188295, IN DUPAGE COUNTY, ILLINOIS.

**PARCEL 2:**

P.I.N. 03-31-402-038

CONTAINING: 26,738.05 SQ. FT., 0.61 AC. (MORE OR LESS)

**PARCEL 2:**

THAT PART OF LOT 2 IN SAM B. GOTTLIEB DEVELOPMENT CORPORATION ASSESSMENT PLAT NUMBER ONE DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2 BEING THE INTERSECTION OF THE SOUTH LINE OF DUPAGE AVENUE WITH THE EAST LINE OF THE THIRD PRINCIPAL MERIDIAN; THENCE SOUTH 00 DEGREES 52 MINUTES 08 SECONDS WEST ALONG SAID EAST LINE 411.12 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 57 MINUTES 17 SECONDS EAST ALONG THE NORTH LINE OF CLEARING INDUSTRIAL ASSESSMENT PLAT NO. 6; THENCE SOUTH 89 DEGREES 57 MINUTES 17 SECONDS 195.10 FEET TO A POINT 616.35 FEET WEST OF THE EAST LINE OF SAID SOUTHEAST QUARTER, THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 456.68 FEET AND WHOSE CHORD BEARS SOUTH 16 DEGRESSO MINUTES 31 SECONDS WEST AND A ARC DISTANCE OF 141.84 FEET TO A POINT SOUTH OF THE EAST LINE OF SAID LOT 2 AND THE NORTH LINE OF SAID LOT 2 AND ITS EASTERLY EXTENSION A DISTANCE OF 24.28 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 03-31-402-038

CONTAINING: 1,714.85 SQ. FT., 0.04 AC. (MORE OR LESS)

**PARCEL 3:**

P.I.N. 03-31-402-041

CONTAINING: 19,056.53 SQ. FT., 0.44 AC. (MORE OR LESS)

CONTAINING TOTAL (ALL 3 PARCELS): 47,509.61 SQ. FT., 1.09 AC. (MORE OR LESS)

## BOARD OF TRUSTEES

STATE OF ILLINOIS ) S.S.
COUNTY OF DUPAGE )

APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, ILLINOIS.

THIS _____ DAY OF _____ A.D. 20___

_____
PRESIDENT

_____
VILLAGE CLERK

## COMMUNITY DEVELOPMENT

STATE OF ILLINOIS ) S.S.
COUNTY OF DU PAGE )

APPROVED BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT OF THE VILLAGE OF LOMBARD, ILLINOIS, THIS _____ DAY OF _____ A.D. 20___

_____
DIRECTOR OF COMMUNITY DEVELOPMENT

## DUPAGE COUNTY CLERK

STATE OF ILLINOIS ) S.S.
COUNTY OF DUPAGE )

I, _____ COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT TAXES, NO UNPAID FORFEITED TAXES AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE ANNEXED PLAT. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE ANNEXED PLAT.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK AT WHEATON, ILLINOIS, THIS _____ DAY OF _____ A.D. 20___

## DUPAGE COUNTY RECORDER

STATE OF ILLINOIS ) S.S.
COUNTY OF DUPAGE )

THIS INSTRUMENT NUMBER _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS, AFORESAID, ON THE _____ DAY OF _____ A.D. 20___

AT _____ O'CLOCK _____ M.

_____
DUPAGE COUNTY RECORDER OF DEEDS

## SURVEYOR

STATE OF ILLINOIS ) S.S.
COUNTY OF DUPAGE )

WE, GENTILE AND ASSOCIATES, INC., HEREBY CERTIFY THAT A SURVEY HAS BEEN MADE FOR THE PURPOSE OF DEDICATING PROPERTY FOR PUBLIC RIGHT OF WAY, AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

BY: _____

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2925
MY LICENSE EXPIRES NOVEMBER 30, 2024
ILLINOIS PROFESSIONAL DESIGN FIRM LICENSE NO. 184.002870

JANUARY 11, A.D. 2023

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Graphic Scale
1" = 50'

DUPAGE AVENUE
HERETOFORE DEDICATED

CORTLAND AVENUE

MAIN STREET
HERETOFORE DEDICATED

COMMONWEALTH EDISON CO. R.O.W.

SHADED AREA REPRESENTS AREA BEING HEREBY DEDICATED AS PUBLIC RIGHT OF WAY

CLEARING INDUSTRIAL DISTRICT, INC.
ASSESSMENT PLAT NO. 6
RECORDED AS DOC. NO. R70-046034
LOT 1
03-31-402-001

SAM B. GOTTLIEB DEVELOPMENT CORPORATION
ASSESSMENT PLAT NO. 1
RECORDED AS DOC. R73-058487
LOT 2
03-31-402-039

ROTHBART-MAIN CONNECTOR RESUBDIVISION
PER DOC. R1994-188295
LOT 1
03-31-402-036
LOT 2
03-31-402-037

ROTHBART-LOMBARD RESUB.
RECORDED AS DOC. R86-052309
LOT 2

LOMBARD INDUSTRIAL PARK UNIT 1
PER DOCUMENT R79-70475
LOT 7

LOT 6
IN LOMBARD INDUSTRIAL PARK UNIT 1
PER DOCUMENT R79-70475

NORTH LINE OF THE S.E. 1/4 OF 31-40-11
NORTH LINE OF THE S.W. 1/4 OF 32-40-11
EAST LINE OF THE S.E. 1/4 OF 31-40-11
WEST LINE OF THE S.W. 1/4 OF SEC. 32-40-11

20' UTILITIES EASEMENT
25' BUILDING LINE
NORTH LINE OF NORTH AVENUE

FOUND IRON ROD AT CORNER
IRON PIPE AT CORNER
FOUND P.K. NAIL AT RADIUS POINT
FOUND IRON PIPE AT CORNER