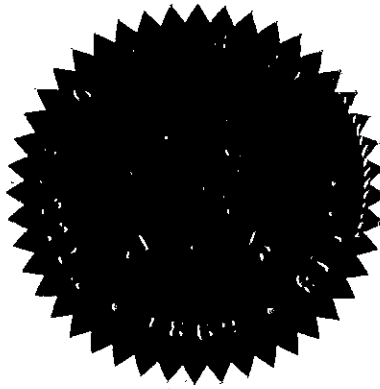


ORDINANCE 4482

PAMPHLET

FRONT OF PAMPHLET

AN ORDINANCE VACATING A PORTION OF THE
EDSON STREET RIGHT-OF-WAY NORTH OF
ROOSEVELT ROAD



PUBLISHED IN PAMPHLET FORM THIS 13TH DAY OF OCTOBER, 1998.
BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD,
DUPAGE COUNTY, ILLINOIS.

Lorraine G. Gerhardt
Lorraine G. Gerhardt
Village Clerk

Barbara Johnson
Deputy Clerk

**AN ORDINANCE VACATING A PORTION OF THE EDSON STREET
RIGHT-OF-WAY NORTH OF ROOSEVELT ROAD**

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

SECTION 1: The President and Board of Trustees find as follows:

- A. Pursuant to 65 ILCS 5/11-91-1, an ordinance vacating a street can provide that it shall not become effective until the owner of a particular parcel of property abutting upon the street 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.
- B. Pursuant to 65 ILCS 5/11-91-1, if the ordinance vacating a street provides that only the owner of a particular parcel abutting upon the street to be vacated shall make the aforementioned compensation payment, then said owner of said particular parcel shall acquire title to the entire vacated street.
- C. That the fair market value of that portion of Edson Street as described in Section 3 below is \$30,000.00.
- D. That the owner of Lot 18 in Block 13 in Roosevelt Crest, a subdivision of the Southeast Quarter of Section 18, Township 39 North, Range 11, East of the Third Principal Meridian, DuPage County, Illinois, (hereinafter the "Abutting Property Owner") shall make payment to the Village for the entire compensation due relative to the street vacation referenced in Section 3 below, as more specifically set forth in Section 4 below.

SECTION 2: It is hereby determined that the public interest will be served by vacating that portion of the Edson Street right-of-way North of Roosevelt Road hereinafter described.

SECTION 3: The following described street:

That portion of Edson Street located East of and adjacent to Lot 18, and the south one-half (½) of the twenty (20) foot East/West vacated alley lying North of and adjacent to Lot 18, in Block 13 in Roosevelt Crest, a subdivision of the Southeast Quarter of Section 18, Township 39 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded June 12, 1930 as Document 298665, in DuPage County, Illinois;

as shown on the plat attached hereto as Exhibit "A" and designated "hereby vacated" be and the same hereby is vacated subject to the conditions listed in Section 4 below.

SECTION 4: That this Ordinance shall be subject to the payment by the Abutting Property Owner, as set forth in Section 1 above, of compensation in the amount of \$30,000.00. Said compensation amount shall consist of \$10,000.00 in cash and compliance with the following conditions, in lieu of the remaining \$20,000.00; the Abutting Property Owner and the Village acknowledging that the minimum fair cash value of said conditions is \$20,000.00:

- A. A six (6) foot high, board-on-board fence shall be constructed across the north end of the vacated right-of-way of Edson Street and Lots 16, 17 and 18 in Block 13 in Roosevelt Crest Subdivision; to provide a buffer between the R2 Single-Family Residential District and the B4 Corridor Commercial District.
- B. A public sidewalk and parkway landscaping shall be provided across the entire Roosevelt Road frontage of the vacated right-of-way of Edson Street and Lots 16, 17 and 18 in Block 13 in Roosevelt Crest Subdivision. The public sidewalk and parkway landscaping shall meet all requirements of the Lombard Subdivision and Development Ordinance and the Illinois Department of Transportation.
- C. A thirty (30) foot wide public utility easement shall be provided within the vacated right-of-way. The utility easement shall be located over the existing sanitary sewer main and shall comply with the Lombard Subdivision and Development Ordinance.
- D. The vacated right-of-way shall be improved in conformance with a site plan, in full conformance with all applicable Village Codes and Ordinances, with additional landscaping as requested by the Director of Community Development.
- E. Access from Roosevelt Road shall be subject to the review and approval of the Illinois Department of Transportation.
- F. A Plat of Consolidation shall be submitted for approval by the Lombard Department of Community Development. The Plat of Consolidation shall consolidate the entire vacated right-of-way of Edson Street, the adjoining Lots 16, 17, and 18 in Block 13 in Roosevelt Crest Subdivision and the South ½ of the vacated East/West alley lying North of and adjacent to said Lots 16, 17 and 18, into a single lot of record.
- G. All public improvements shall be subject to the requirements of the Subdivision and Development Ordinance (Title 15, Chapter 154 of the Lombard Village Code). The Plats of Vacation and Consolidation shall not be recorded and no building permits for private improvements shall be issued until the Department of Community Development has determined that all required submittals have been made.
- H. Construction of all of the above improvements shall be completed by December 1, 1998.

- I. The Abutting Property Owner shall indemnify and hold harmless the Village with respect to any claim or loss, including but not limited to, attorney's fees, costs and expenses of litigation, claims and judgments in connection with any and all claims or suits of any kind which may arise, either directly or indirectly, as a result of the Village's adoption of this Ordinance.

SECTION 5: That the Abutting Property Owner is in agreement with the terms and conditions of this Ordinance, as evidenced below:

I, the undersigned, being the owner of Lot 18 in Block 13 in Roosevelt Crest Subdivision, which abutts the Edson Street right-of-way described in Section 2 above, hereby state that I have read this Ordinance and voluntarily agree to the conditions stated herein, and the payment of compensation for said street vacation as set forth herein.

G. M. Chavda S. G. Chivda
Gandaji Chavda

SECTION 6: 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, subject to the restriction set forth in Section 4G above.

SECTION 7: 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 _____, 1998.

First reading waived by action of the Board of Trustees this 4th day of June, 1998.

Passed on second reading this 4th day of June, 1998.

AYES: Trustees Borgatell, Tross, Schaffer, Jaugilas & Kufrin

NAYS: None

ABSENT: Trustee Gatz

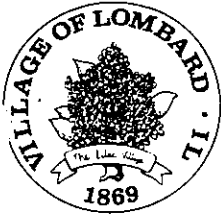
Approved this 4th day of June, 1998.

William J. Mueller
William J. Mueller
Village President

ATTEST:

Lorraine G. Gerhardt
Lorraine G. Gerhardt
Village Clerk

Barbara Johnson
Barbara Johnson
Deputy Clerk




I, **Lorraine G. Gerhardt**, 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 4482 AN ORDINANCE
VACATING A PORTION OF THE EDSON STREET
RIGHT OF WAY NORTH OF ROOSEVELT ROAD

of said Village duly approved on JUNE 4, 1998
as they appear from the official records of said Village
in my care and custody.

In **Witness Whereof**, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 9TH day of OCTOBER, 1998.


Lorraine G. Gerhardt
Lorraine G. Gerhardt *Barbara Johnson*
Village Clerk *10/9/98*
Village of Lombard
DuPage County, Illinois

2. 17.

C

C

P