

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

Resolution or Ordinance (Blue) _____
Recommendations of Boards, Commissions & Committees (Green) _____
Other Business (Pink) _____

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager *dh*

DATE: January 6, 2009 (B of T) Date: January 15, 2009

TITLE: Vacation of Surplus Right-of-Way along Stewart and Lombard Avenues

SUBMITTED BY: Department of Community Development *TDH*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration an ordinance vacating the surplus right of way on North Stewart Avenue and North Lombard Road. The properties receiving portions of the vacated right of way include: 529, 530, 533 and 534 N. Stewart Avenue and 533 and 534 N. Lombard Avenue. (DISTRICT #4)

Please place this item on the January 15, 2009 Board of Trustees agenda under items for separate action.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X

Finance Director X

Village Manager X

Date

Date

Date

1/6/09

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: David A. Hulseberg, Village Manager

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

DATE: January 15, 2009

SUBJECT: Vacation of Surplus Right-of-Way along Stewart Avenue and Lombard Avenue

Please find the following items for Village Board consideration as part of the January 15, 2009 Village Board meeting:

1. An ordinance vacating the surplus public right-of-way on North Stewart Avenue and North Lombard Avenue.

2. A Plat of Vacation for the subject properties prepared by Gentile and Associates, Inc.

In 2004, the Village completed right-of-way improvements within the 500 block of North Stewart and North Lombard Avenues. The new street profile removed remnant cul-de-sac bulb elements that previously existed in each of those rights-of-way. As a result, there is some excess right-of-way the Village considers as surplus land, outside the required right-of-way area. Staff is recommending that this surplus right-of-way be vacated. The parcels that would receive portions of the vacated right-of-way include:

- 533 N Lombard Avenue
- 534 N Lombard Avenue
- 529 N Stewart Avenue
- 530 N Stewart Avenue
- 533 N Stewart Avenue
- 534 N Stewart Avenue

Please contact me if you have any questions regarding the aforementioned materials.

**ORDINANCE VACATING PORTIONS OF THE PUBLIC RIGHT-OF-WAY ON
NORTH STEWART AVENUE AND NORTH LOMBARD AVENUE**

ORDINANCE NO. _____

WHEREAS, public right-of-way from remnant cul-de-sac bulbs exists within the 500 block of North Stewart Avenue And North Lombard Avenue; and

WHEREAS, said public right-of-way no longer contains public improvements;

and

WHEREAS, these portions of the public rights-of-way no longer serve the motor vehicle transportation needs of the Village; and

WHEREAS, these portions of the public rights-of-way no longer serve the pedestrian needs of the Village; and

WHEREAS, the Corporate Authorities of the Village of Lombard have received a Plat of Vacation, as attached hereto and marked Exhibit "A"; and

WHEREAS the Corporate Authorities deem it to be in the best interest of the Village of Lombard to authorize the right-of-way vacation.

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 served by vacating portions of the public right-of-way from remnant cul-de-sac bulbs within the 500 block of North Stewart Avenue and North Lombard Avenue hereinafter described.

SECTION 2: The following described portion of the public right-of-way:

CERTAIN STREETS IN LILAC SQUARE ESTATES SUBDIVISION IN THAT PART OF THE NORTHWEST QUARTER OF SECTION FIVE, TOWNSHIP THIRY-NINE NORTH, RANGE ELEVEN, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS:

1) A SEGMENT OF THE RIGHT OF WAY COMMONLY KNOWN AS STEWART AVENUE IN LOMBARD, ILLINOIS AND BEING PART OF THE FIRST ADDITION TO LILAC SQUARE ESTATES SUBDIVISION OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF STEWART AVENUE, AND THE EAST LINE OF LOT 2 IN BLOCK 10 IN THE AFORESAID SUBDIVISION SAID POINT BEING 42.81 FEET NORTH OF THE SOUTHEAST CORNER OF SAID LOT 2, THENCE ALONG THE CURVED SEGMENT CONCAVE TO THE EAST AN ARC DISTANCE OF 85 FEET, HAVING A RADIUS OF 50 FEET TO A POINT 10.58 FEET SOUTH OF THE NORTHEAST CORNER OF LOT 1 IN SAID SUBDIVISION AS MEASURED ALONG THE EAST LINE OF SAID LOT 1, THENCE SOUTH ON A STRAIGHT LINE 75.15 FEET TO THE POINT OF BEGINNING.

ALSO;

2) A SEGMENT OF THE RIGHT OF WAY COMMONLY KNOWN AS STEWART AVENUE IN LOMBARD, ILLINOIS AND BEING PART OF THE FIRST ADDITION TO LILAC SQUARE ESTATES SUBDIVISION OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF STEWART AVENUE, AND THE WEST LINE OF LOT 15 IN BLOCK 11 IN THE AFORESAID SUBDIVISION SAID POINT BEING 36.80 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LOT 15, THENCE ALONG THE CURVED SEGMENT CONCAVE TO THE WEST AN ARC DISTANCE OF 85 FEET, HAVING A RADIUS OF 50 FEET TO A POINT 14.33 FEET SOUTH OF THE NORTHEAST CORNER OF LOT 16 IN BLOCK 11 IN SAID SUBDIVISION AS MEASURED ALONG THE EAST LINE OF SAID LOT 16, THENCE SOUTH ON A STRAIGHT LINE 75.20 FEET TO THE POINT OF BEGINNING.

ALSO;

3) A SEGMENT OF THE RIGHT OF WAY COMMONLY KNOWN AS LOMBARD AVENUE IN LOMBARD, ILLINOIS AND BEING PART OF THE FIRST ADDITION TO LILAC SQUARE ESTATES SUBDIVISION OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF LOMBARD AVENUE AND THE SOUTHEAST CORNER OF LOT 1 BLOCK 11 OF THE AFORESAID SUBDIVISION THENCE ALONG THE CURVED SEGMENT CONCAVE TO THE EAST AN ARC DISTANCE OF 85 FEET,

HAVING A RADIUS OF 50 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1 IN BLOCK 11 A DISTANCE OF 10.55 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH ON A STRAIGHT LINE 75.08 FEET TO THE POINT OF BEGINNING.

ALSO;

4) A SEGMENT OF THE RIGHT OF WAY COMMONLY KNOWN AS LOMBARD AVENUE IN LOMBARD, ILLINOIS AND BEING PART OF THE FIRST ADDITION TO LILAC SQUARE ESTATES SUBDIVISION OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF LOMBARD AVENUE AND THE SOUTHWEST CORNER OF LOT 16 IN BLOCK 14 OF THE AFORESAID SUBDIVISION THENCE ALONG THE CURVED SEGMENT CONCAVE TO THE WEST AN ARC DISTANCE OF 85 FEET, HAVING A RADIUS OF 50 FEET TO A POINT ON THE WEST LINE OF SAID LOT 16 IN BLOCK 14 A DISTANCE OF 14.33 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 16; THENCE SOUTH ON A STRAIGHT LINE 75.09 FEET TO THE POINT OF BEGINNING.

as shown on the plat attached hereto as Exhibit "A" and designated "hereby vacated" be and the same hereby is vacated.

SECTION 3: Pursuant to 65ILCS 5/11-91-1, the following parcels shall each acquire title to the portion of vacated right-of-way that lies immediately adjacent thereto:

06-05-114-012 – 534 N. Stewart Avenue, Lombard, IL: Raymond E. Pszanka
06-05-114-013 – 530 N. Stewart Avenue, Lombard, IL: Anthony and Laura Valenti
06-05-115-007 – 533 N. Stewart Avenue, Lombard, IL: Ernest and Donna Heimbecker
06-05-115-008 – 529 N. Stewart Avenue, Lombard, IL: Glen E. and Denise Washick
06-05-115-018 – 534 N. Lombard Avenue, Lombard, IL: Steven and Annette Gryb
06-05-116-005 – 533 N. Lombard Avenue, Lombard, IL: John T. Merkle

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.

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 _____, 2009.

First reading waived by action of the Board of Trustees this _____ day of _____, 2009.
Passed on second reading this _____ day of _____, 2009.

Ayes: _____

Nayes: _____

Absent: _____

Approved this _____ day of _____, 2009.

William J. Mueller, Village President

ATTEST:

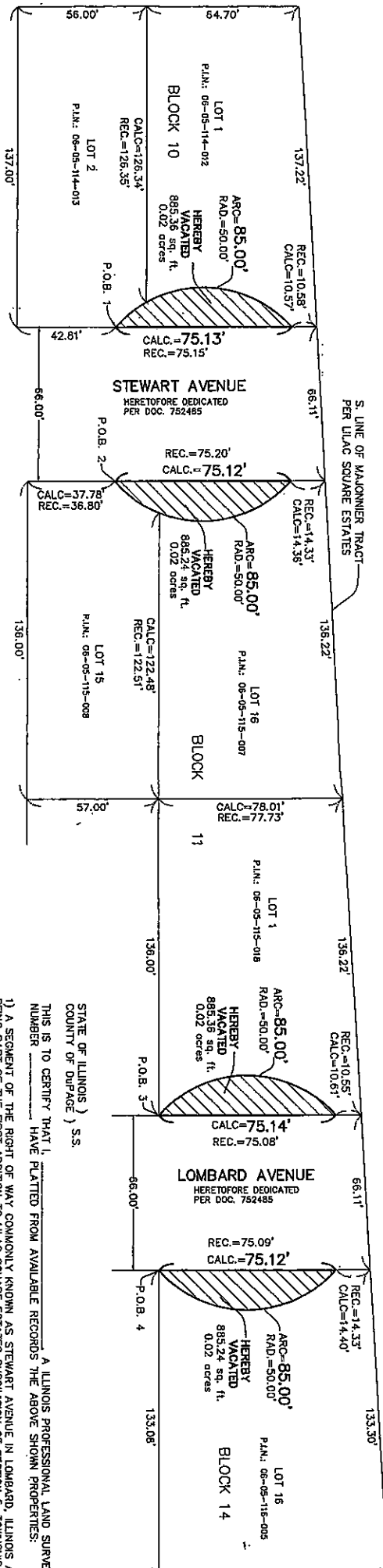
Barbara A. Johnson, Deputy Village Clerk



PLAT OF VACATION

BY
GENTILE AND ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

OF CERTAIN STREETS IN LILAC SQUARE ESTATES SUBDIVISION IN THAT PART OF THE NORTHWEST QUARTER OF SECTION FIVE, TOWNSHIP THIRTY-NINE NORTH, RANGE ELEVEN, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.



THIS IS TO CERTIFY THAT I, _____, A ILLINOIS PROFESSIONAL LAND SURVEYOR, HAVE PLATTED FROM AVAILABLE RECORDS THE ABOVE SHOWN PROPERTIES:

1) A SEGMENT OF THE RIGHT OF WAY COMMONLY KNOWN AS STEWART AVENUE IN LOMBARD, ILLINOIS, BEING PART OF THE FIRST ADDITION TO LILAC SQUARE ESTATES SUBDIVISION OF SECTION 5, TOWNSHIP NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF STEWART AVENUE AND THE EAST LINE OF LOT 2 IN BLOCK 10 IN THE AFORESAID SUBDIVISION SAID POINT BEING 42.81 FEET NORTH OF THE SOUTHEAST CORNER OF SAID LOT 2, THENCE ALONG THE CURVED SEGMENT CONCAVE TO THE EAST BY AN ARC OF 85.00' HAVING A RADIUS OF 50.00' TO THE POINT OF BEGINNING OF THE NORTHEAST CORNER OF LOT 1 IN SAID SUBDIVISION AS MEASURED ALONG THE EAST LINE OF SAID LOT 1, THENCE SOUTH ON A STRAIGHT LINE 75.15 FEET TO THE POINT OF BEGINNING

ALSO:

2) A SEGMENT OF THE RIGHT OF WAY COMMONLY KNOWN AS STEWART AVENUE IN LOMBARD, ILLINOIS, BEING PART OF THE FIRST ADDITION TO LILAC SQUARE ESTATES SUBDIVISION OF SECTION 5, TOWNSHIP NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF STEWART AVENUE AND THE WEST LINE OF LOT 15 IN BLOCK 11 IN THE AFORESAID SUBDIVISION SAID POINT BEING 56.80 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LOT 15, THENCE ALONG THE CURVED SEGMENT CONCAVE TO THE WEST BY AN ARC OF 85.00' HAVING A RADIUS OF 50.00' TO A POINT 14 FEET SOUTH OF THE NORTHEAST CORNER OF LOT 16 IN BLOCK 11 IN SAID SUBDIVISION AS MEASURED ALONG THE EAST LINE OF SAID LOT 16, THENCE SOUTH ON A STRAIGHT LINE 75.20 FEET TO THE POINT OF BEGINNING

ALSO:

3) A SEGMENT OF THE RIGHT OF WAY COMMONLY KNOWN AS LOMBARD AVENUE IN LOMBARD, ILLINOIS, BEING PART OF THE FIRST ADDITION TO LILAC SQUARE ESTATES SUBDIVISION OF SECTION 5, TOWNSHIP NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF LOMBARD AVENUE AND THE SOUTHWEST CORNER OF LOT 1 IN BLOCK 11 OF THE AFORESAID SUBDIVISION THENCE ALONG A CURVED SEGMENT CONCAVE TO THE EAST BY AN ARC OF 85 FEET, HAVING A RADIUS OF 50 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1 IN BLOCK 11 A DISTANCE OF 10.35 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT 1, THENCE SOUTH ON A STRAIGHT LINE 75.08 FEET TO THE POINT OF BEGINNING

ALSO:

4) A SEGMENT OF THE RIGHT OF WAY COMMONLY KNOWN AS LOMBARD AVENUE IN LOMBARD, ILLINOIS, BEING PART OF THE FIRST ADDITION TO LILAC SQUARE ESTATES SUBDIVISION OF SECTION 5, TOWNSHIP NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF LOMBARD AVENUE AND THE SOUTHWEST CORNER OF LOT 16 IN BLOCK 14 OF THE AFORESAID SUBDIVISION THENCE ALONG A CURVED SEGMENT CONCAVE TO THE WEST BY AN ARC OF 85.00' HAVING A RADIUS OF 50.00' TO A POINT ON THE WEST LINE OF SAID LOT 16 IN BLOCK 14 A DISTANCE OF 10.35 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT 16, THENCE SOUTH ON A STRAIGHT LINE 75.09 FEET TO THE POINT OF BEGINNING

ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, A.D. 20____.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. _____

DUPAGE COUNTY RECORDER OF DEEDS

STATE OF ILLINOIS) S.S.
COUNTY OF DUPAGE)
THIS INSTRUMENT NUMBER _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF
AT _____ O'CLOCK _____ M. _____ DAY OF _____, A.D. 20____.

DIRECTOR OF COMMUNITY DEVELOPMENT OF THE VILLAGE OF LOMBARD, ILLINOIS, THIS _____ DAY OF _____, A.D. 20____.

STATE OF ILLINOIS)
COUNTY OF DUPAGE) S.S.
APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, ILLINOIS,
THIS _____ DAY OF _____, A.D. 20____.

PRESIDENT _____

VILLAGE CLERK _____



GENTILE & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
550 E. ST. CHARLES PLACE
LOMBARD, ILLINOIS 60148
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FAX (630) 516-6822
E-MAIL GENTILE@GENTILE.COM
PREPARED FOR THE VILLAGE OF LOMBARD
DRAWN BY: CLO
ORDER NO. 04-18859 (VAC)