



FRED BUCHOLZ
DUPAGE COUNTY RECORDER
JUL.10,2012 10:48 AM
PLAT 06-07-505-008
009 PAGES R2012-088232

ORDINANCE 6712

**VACATING A PORTION OF THE NORTH HALF OF
PARKSIDE AVENUE, BETWEEN PARK AVENUE AND MAIN
STREET (METRA STATION TUNNEL IMPROVEMENTS)**

PINS: 06-07-505-008, 06-07-505-012 and 06-07-505-013

**Address: The North Half of Parkside Avenue, between Park
Avenue and Main Street, Lombard IL 60148**

**Return To:
Village of Lombard
255 E. Wilson Avenue
Lombard, IL 60148**



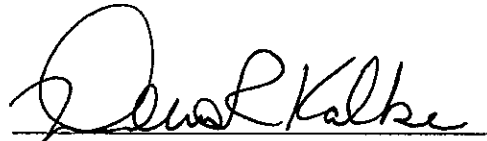
I, **Denise R. Kalke**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the President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

I further certify that attached hereto is a true and correct copy of **ORDINANCE NO. 6712**

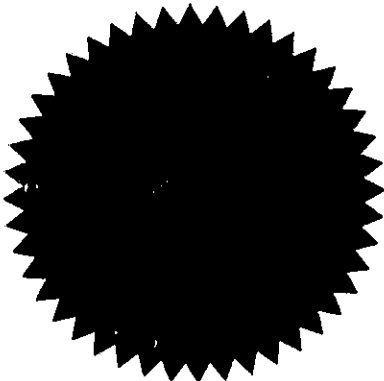
**AN ORDINANCE VACATING A PORTION OF
THE NORTH HALF OF PARKSIDE AVENUE,
BETWEEN PARK AVENUE AND MAIN STREET
(METRA STATION TUNNEL IMPROVEMENTS)**

of the said Village as it appears from the official records of said Village duly passed on April 19, 2012.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 18th day of June, 2012.



Denise R. Kalke
Deputy Village Clerk
Village of Lombard
DuPage County, Illinois



ORDINANCE NO. 6712

**AN ORDINANCE VACATING A PORTION OF
THE NORTH HALF OF PARKSIDE AVENUE,
BETWEEN PARK AVENUE AND MAIN STREET
(METRA STATION TUNNEL IMPROVEMENTS)**

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

SECTION 1: The Village Council finds as follows:

- A. Pursuant to 65 ILCS 5/11-91-1, an ordinance vacating a right-of-way can provide that it shall not become effective until the owner(s) of the property abutting the right-of-way, or the owner(s) of a particular parcel of property abutting the right-of-way, to be vacated, pay(s) 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(s) by reason of the vacation.
- B. That the fair market value of the right-of-way, as described in Section 3 below, is Five Thousand and No/100 Dollars (\$5,000.00).
- C. That Five Thousand and No/100 Dollars (\$5,000.00) is only a fair price for the vacation of the right-of-way, as described in Section 3 below, provided said vacated right-of-way is encumbered with a public utility and drainage easement.

SECTION 2: It is hereby determined that the public interest will be subserved by vacating that portion of the North Half of Parkside Avenue, between Park Avenue and Main Street, as hereinafter described.

SECTION 3: The following described right-of-way:

That part of Parkside Avenue, in the Northeast Quarter of Section 7, Township 39 North, Range 11 East of the Third Principal Meridian, described as follows: Commencing at the northwest corner of Lot 1 of Lombard Bible Church Consolidation Plat, as recorded May 6, 1983 as document number R1983-026493, said point also being on the southerly right of way line of Parkside Avenue; Thence North 67 degrees 35 minutes 28 seconds East, along the north line of said Lot 1, and along the north line of Lot 1 of Cavemo's Subdivision, as recorded May 17, 1912 as

document number R1912-108107, 320.53 feet to the northeast corner of Lot 1 of said Caverno's Subdivision; Thence North 01 degrees 26 minutes 12 seconds West, along the northerly extension of the east line of Lot 1 of said Caverno's Subdivision, 70.68 feet to a point on the northerly right of way line of said Parkside Avenue; Thence, South 67 degrees 35 minutes 28 seconds West, along the northerly right of way line of said Parkside Avenue, 157.47 feet for the Point of Beginning; Thence South 22 degrees 24 minutes 32 seconds East, perpendicular to said northerly right of way line, 4.00 feet; Thence South 67 degrees 35 minutes 28 seconds West, parallel with said northerly right of way line, 82.50 feet; Thence South 22 degrees 24 minutes 32 seconds East, perpendicular to said northerly right of way line, 13.50 feet; Thence South 67 degrees 35 minutes 28 seconds West, parallel with said northerly right of way line, 17.00 feet; Thence North 22 degrees 24 minutes 32 seconds West, perpendicular to said northerly right of way line, 11.50 feet; Thence South 67 degrees 35 minutes 28 seconds West, parallel with said northerly right of way line, 56.50 feet; Thence North 22 degrees 24 minutes 32 seconds West, perpendicular to said northerly right of way line, 2.00 feet; Thence South 67 degrees 35 minutes 28 seconds West, parallel with said northerly right of way line, 83.50 feet; Thence North 22 degrees 24 minutes 32 seconds West, perpendicular to said northerly right of way line, 4.00 feet to a point on said northerly right of way line; Thence North 67 degrees 35 minutes 28 seconds East, along said northerly right of way line, 239.50 feet to the Point of Beginning, in the Village of Lombard, DuPage County, Illinois;

(hereinafter the "Vacated Street");

as shown on the plat attached hereto as Exhibit A, and made part hereof, 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 following:

- A. The payment by the owner of the adjacent property, as described in Section 5 below, of compensation to the Village in the amount of Five Thousand and No/100 Dollars (\$5,000.00); and
- B. The retention of a public utility and drainage easement, in the form attached hereto as Exhibit B, and made part hereof, in, across, over and under the entire Vacated Street, with said easement language to be set forth on the plat of vacation attached hereto as Exhibit A.

SECTION 5: Pursuant to 65 ILCS 5/11-91-1, the following parcels shall acquire title to that portion of the Vacated Street that is located South of and adjacent thereto: PIN Nos. 06-07-505-5008, -5012, -5013 .

SECTION 6: That upon receipt of the payment referenced in Section 4 above, the Village Clerk 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 in the event that the payments provided for in Section 4 above is not received by the Village within sixty (60) days of the effective date of this Ordinance, this Ordinance shall be null and void and of no further effect.

SECTION 8: 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 12th day of April, 2012.

First reading waived by action of the Board of Trustees this day of , 2012.

Passed on second reading this 19th day of April, 2012, pursuant to a roll call vote as follows:

Ayes: Trustees Gron, Giagnorio, Wilson, Breen, Fitzpatrick and Ware

Nays: None

Absent: None

Approved by me this 19th , day of April, 2012.



William J. Mueller, Village President

ATTEST:

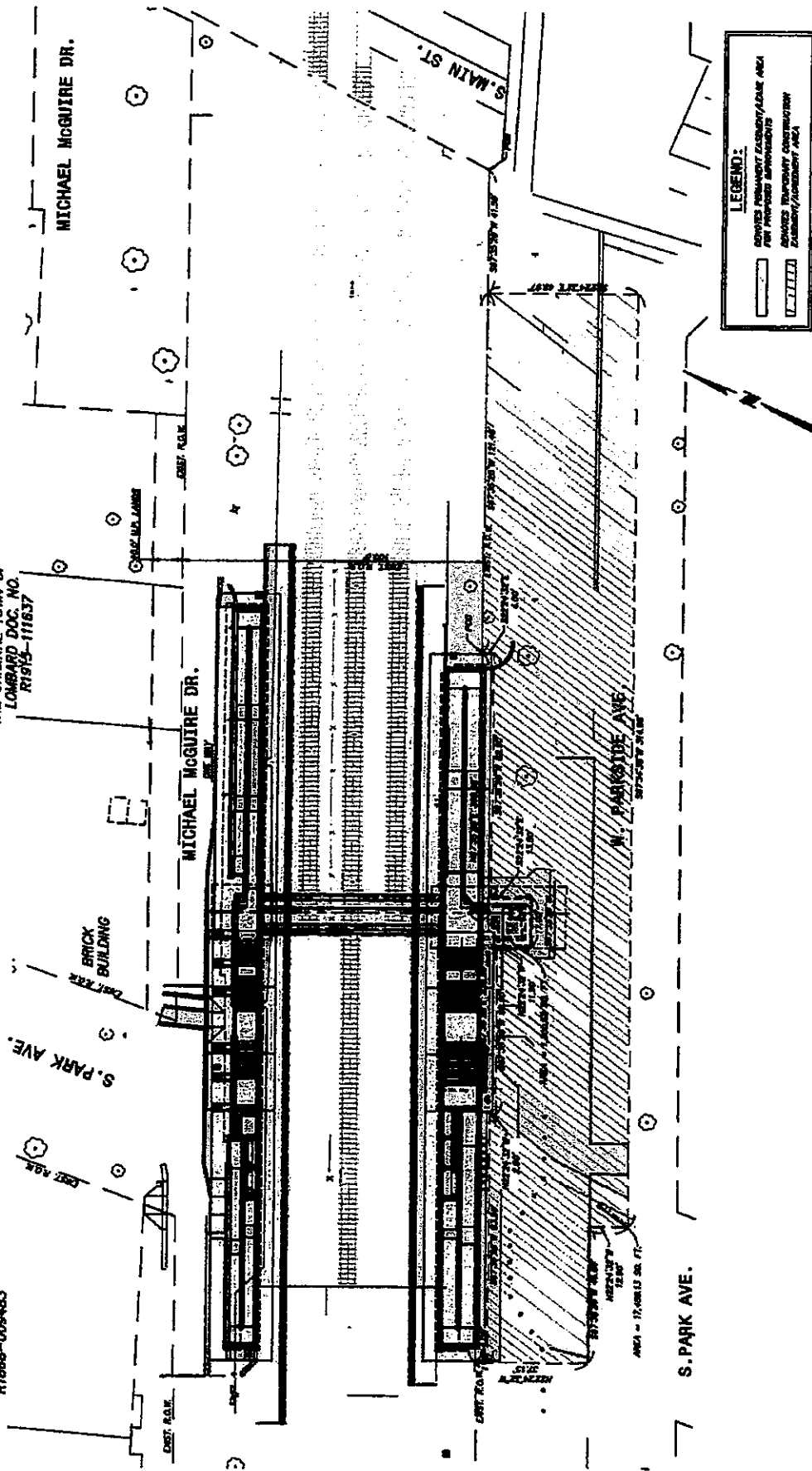

Brigitte O'Brien, Village Clerk

Exhibit A
Plat of Vacation
(attached)

EXHIBIT-A

OWNERS SUBDIVISION OF
BLOCK 18 OF
THE ORIGINAL TOWN OF
LOMBARD DOC. NO.
R1813-111837

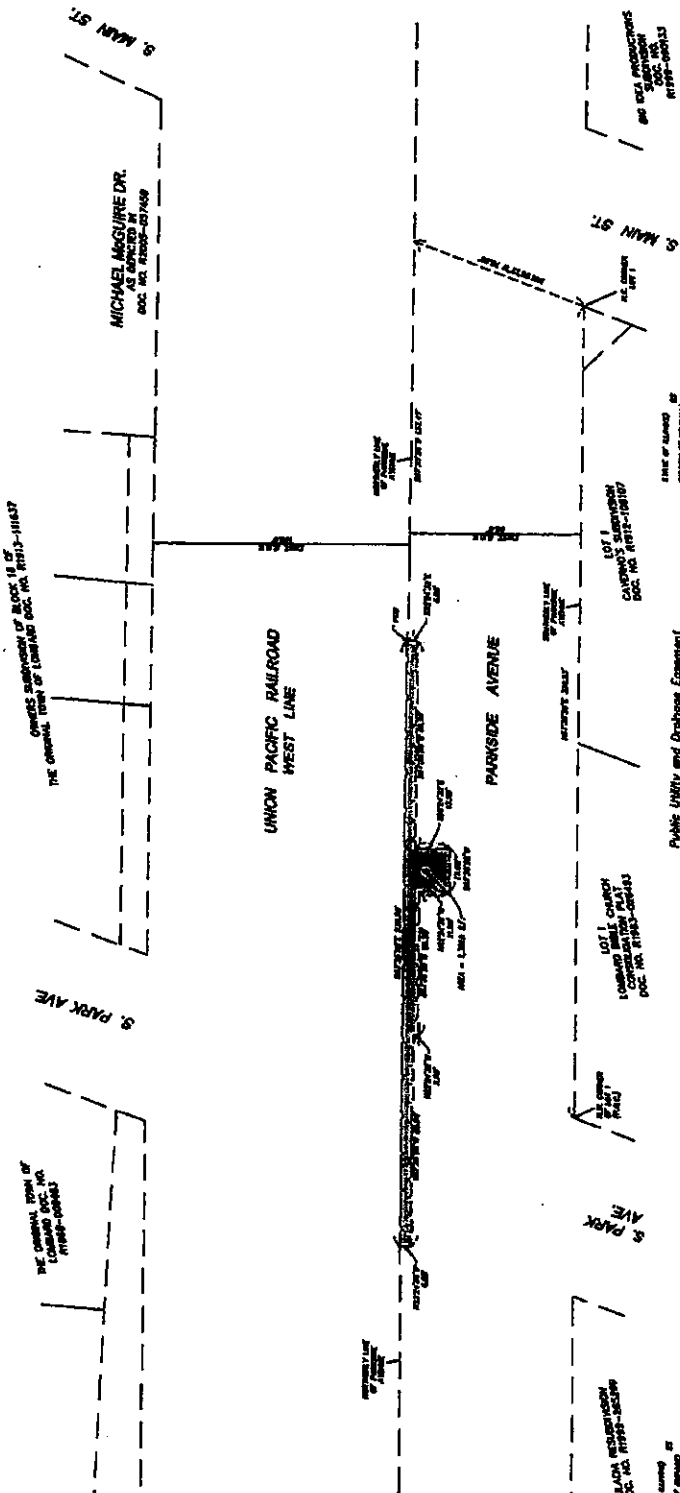
THE ORIGINAL TOWN OF
LOMBARD DOC. NO.
R1868-009483



LEGEND:

- [Hatched Box] PERMANENT CONSTRUCTION/LEASE AREA FOR PERMANENT APPROPRIATIONS
- [Cross-hatched Box] TEMPORARY CONSTRUCTION/LEASE AREA

PLAT OF VACATION
PART OF PARKSIDE AVENUE, SECTION 7-38-11,
VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS



THE GENERAL PLAN OF
LOMBARD, ILL. (PLAT 188-1188)

THE GENERAL PLAN OF
LOMBARD, ILL. (PLAT 188-1188)

MICHAEL MAGUIRE DR.
DOC. NO. 12285-17459

UNION PACIFIC RAILROAD
WEST LINE

PARKSIDE AVENUE

S. MAIN ST.

S. PARK AVE.

LOT 1
LOMBARD TRAILWAY
CORPORATION
DOC. NO. 18183-18183

LOT 1
LOMBARD TRAILWAY
CORPORATION
DOC. NO. 18183-18183

STATE OF ILLINOIS
COUNTY OF DUPAGE

Public Utility and Discharge Easement
A certain easement and discharge is hereby granted to the Union Pacific Railroad Company, its successors and assigns, for the purpose of maintaining, operating and using its railroad line, tracks, right-of-way, and other facilities, and for the purpose of discharging sewage and other effluents from its sewage treatment plant, on and across the lands hereinafter described, and the lands of others, situated in the Village of Lombard, DuPage County, Illinois, as shown on the plat hereunto annexed and on file in the office of the Recorder of Deeds for DuPage County, Illinois, to wit: ...

STATE OF ILLINOIS
COUNTY OF DUPAGE

STATE OF ILLINOIS
COUNTY OF DUPAGE

WITNESSETH that the above and foregoing is the true and correct copy of the original of the plat of vacation of the above described portion of Parkside Avenue, as the same appears on the records of the Village of Lombard, DuPage County, Illinois, and that the same is a true and correct copy of the original of the plat of vacation of the above described portion of Parkside Avenue, as the same appears on the records of the Village of Lombard, DuPage County, Illinois.

STATE OF ILLINOIS
COUNTY OF DUPAGE

STATE OF ILLINOIS
COUNTY OF DUPAGE

PLAT NO.	188-1188
SECTION	7-38-11
TOWNSHIP	38 N.
RANGE	11 W.
COUNTY	DUPAGE
STATE	ILLINOIS
RECORDED	NOV 15 1918
FILE NO.	188-1188

VACATION

PLAT OF VACATION
PART OF PARKSIDE AVENUE, SECTION 7-38-11,
VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS

H. Green
1821 North Park Drive, Suite 207,
Lombard, Illinois 60148
Tel. 944-4444
www.hgreen.com

Exhibit B

Public Utility and Drainage Easement

A perpetual easement and right-of-way for the full and free right, privilege and authority to clear, trench for, construct, install, reconstruct, replace, remove, repair, alter, inspect, maintain and operate public utilities and drainage improvements including, but not limited to, water, sanitary sewer, storm sewer, overland storm water flows, electricity, telecommunications, natural gas and cable television, and all facilities incidental thereto, is hereby retained by the Village of Palos Park, any and all public utility companies, and those cable television companies/video programming providers with a franchise agreement from the Village or a permit issued by the Illinois Commerce Commission (hereinafter collectively the "Easement Recipients") in, on, upon, over, through, across and under the entire portion of the North ½ of Parkside Avenue that is being vacated (hereinafter the "Easement Premises").

The officers, agents or employees of the Easement Recipients, whenever elected, appointed or hired, may at any and all times designated herein, when necessary and convenient to do so, go in, on, upon, over, through, across and under the Easement Premises, and do and perform any and all acts necessary or convenient to the carrying into effect the purposes for which the easements created hereby are retained, and the owners of the Easement Premises shall not disturb, molest, injure or in any manner interfere with, or in any way restrict access to, the aforesaid public utilities and/or drainage improvements, and all facilities and activities incidental thereto.

The owner of the Easement Premises shall have the right to make any use of the Easement Premises, whether on, above or below its surface, for any lawful purpose, except that any use shall not:

1. Interfere in any manner with the easements and uses by the Easement Recipients hereby retained and authorized; or
2. Alter the grade, or add mulch, trees, bushes, fill, garbage, debris, or any structures including, but not limited to, any driveways, within the Easement Premises;

The right is also granted to the Easement Recipients to trim or remove any trees, shrubs or other plants, or remove any mulch, garbage, debris or structures, including, but not limited to, driveways, on the Easement Premises, that interferes with the operation of the public utilities and/or drainage improvements.

The perpetual easement created hereby in, on, upon, over, through, across and under the Easement Premises shall run with the land.

PLAT

FRED BUCHOLZ

Du Page County Recorder

421 North County Farm Road - Wheaton IL 60187
(630) 407-5400

PLAT
R2012-088232
JUL. 10, 2012
10:48 AM

DATE OF INSTRUMENT: 4-19-2012

CASH
 CHECK

4

DOCUMENT TYPE:

- SUBDIVISION
- ANNEXATION
- VACATION
- DEDICATION
- ORDINANCE
- EASEMENT
- DECLARATION
- RESOLUTION
- _____

TITLE: _____

1ST PARTY: _____

Lombard Vill

2ND PARTY: _____

Metra. Station

LEGAL DESCRIPTION: _____

PT PK SDE AVE

SEC. _____

7

TWP. _____

39

RANGE _____

11

PIN NO. _____

UNIT NO. _____

06-07-505-008

06-07-505-012

06-07-505-013

VAC

SUBMITTED BY: _____

JANET

ACCOMPANYING PAPERS: _____

6712

YES

NO

BOOK _____

MAIL TO: _____

Village of Lombard

PAGE _____

255 E Wilbur Ave

NUMBER OF PAGES _____

1

Lombard, IL

60178