

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: David A. Hulseberg, Village Manager *dah*
DATE: January 10, 2011 (B of T) Date: January 20, 2011
TITLE: BOT 11-04: Alley Vacation/Easement Dedication – Martha/Charlotte/Maple
SUBMITTED BY: Department of Community Development *WA*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration an ordinance vacating a portion of the unnamed public alley between Martha and Charlotte Streets, south of Maple Street and granting of a public utility easement.

Staff recommends approval of this request.

Please place this item on the January 20, 2011 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X *dahulseberg* _____ Date 1/13/11

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 Heniff, AICP, Director of Community Development *WH*

DATE: January 20, 2011

SUBJECT: **BOT 11-04 Alley Vacation/Easement Dedication**

Attached is an Ordinance vacating a twenty foot (20') wide portion of an unimproved alley and also granting a public utility easement over the proposed area to be vacated. The unimproved public alley exists south of Maple Street, between Martha Street and Charlotte Street. This request is being brought forward by the Village of Lombard, per the past recommendation of the Public Works Committee through its Alley Maintenance Program. The alley is unimproved and the abutting residents have functionally used it as part of their rear yard in the past. There are no public utilities located within the alley right-of-way; however, staff suggests that a public utilities and drainage easement be granted over the area to be vacated. Public Works staff supports the vacation request as it does not serve the transportation needs of the Village.

ACTION REQUESTED

Please place this item on the January 20, 2011 Village Board agenda for consideration. Staff recommends approval of the attached Ordinance.

ORDINANCE NO. _____

**ORDINANCE VACATING A PORTION OF THE UNNAMED PUBLIC ALLEY
SOUTH OF MAPLE STREET , BETWEEN MARTHA STREET AND CHARLOTTE
STREET AND GRANTING OF A PUBLIC UTILITY EASEMENT**

WHEREAS, a twenty foot (20') wide unimproved public alley exists south of Maple Street, between Martha Street and Charlotte Street; and

WHEREAS, the public alley does not serve the transportation needs of the Village; and

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

WHEREAS, said plat proposes to vacate the twenty foot (20') of the aforementioned alley to the adjacent property owners to the north and south of the proposed area to be vacated; and

WHEREAS, a twenty (20) foot easement for public utilities and drainage will still be required over the area to be vacated; and

WHEREAS the Corporate Authorities deem it to be in the best interest of the Village of Lombard to authorize the alley vacation and accept the grant of easement for public utilities and drainage.

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 the portion of the unnamed alley south of Maple Street, between Martha Street and Charlotte Street hereinafter described:

THAT PART OF THE EAST 20 FOOT ALLEY LYING EAST OF THE WEST LINE OF LOT 13 AND ITS SOUTHERLY EXTENSION AND WEST OF THE EAST LINE OF LOT 4 AND ITS SOUTHERLY EXTENSION IN BLOCK 25 IN RESUBDIVISION BY N. WATSON AND OTHERS OF BLOCKS 21, 22, 23, 24, 25, 26, 32, 33, 34, 35 AND 37 AND LOTS 16 TO 28 INCLUSIVE IN BLOCK 29 AND LOTS 2 TO 12 , INCLUSIVE IN BLOCK 36, ALL IN ORIGINAL TOWN OF LOMBARD, A SUBDIVISION IN SECTIONS 5, 6, 7, 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID

RESUBDIVISION RECORDED OCTOBER 13, 1873 AS DOCUMENT 16948, 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.

SECTION 2: That a twenty foot (20') easement for public utilities and drainage purposes is hereby granted over the vacated alley, as depicted on Exhibit "A" attached hereto.

SECTION 3: Pursuant to 65ILCS 5/11-91-1, the owners of the following parcels shall acquire title to the respective ten feet (10.0') of the vacated alley that lies immediately adjacent to their property thereto:

- 06-08-122-003 – Wagner, Thomas E, 109 E. Maple St., Lombard, IL
- 06-08-122-005 – Batelli, Gregory M, 121 E. Maple St., Lombard IL
- 06-08-122-006 – Gollins, Stephen, 125 E Maple St., Lombard, IL
- 06-08-122-011 – Johnston, William T, 110 E Ash St., Lombard, IL
- 06-08-122-012 – Portman, Alan T & Patricia, 114 E Ash St., Lombard, IL
- 06-08-122-013 – Ott, Kenneth & Pearl, 118 E Ash St., Lombard, IL
- 06-08-122-014 – Delaney, Cristina, 122 E Ash St., Lombard, IL
- 06-08-122-015 – Stevenson, Mark D & Sarah, 126 E Ash St., Lombard, IL
- 06-08-122-023 – Hogan, Carolyn J, 115 E Maple St., Lombard, IL

SECTION 4: 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 _____, 2011.

First reading waived by action of the Board of Trustees this _____ day of _____, 2011.

Passed on second reading this _____ day of _____, 2011.

Ayes: _____

Nays: _____

Absent: _____

Ordinance No. _____

Re: BOT 11-04

Page 3

Approved this _____ day of _____, 2011.

William J. Mueller, Village President

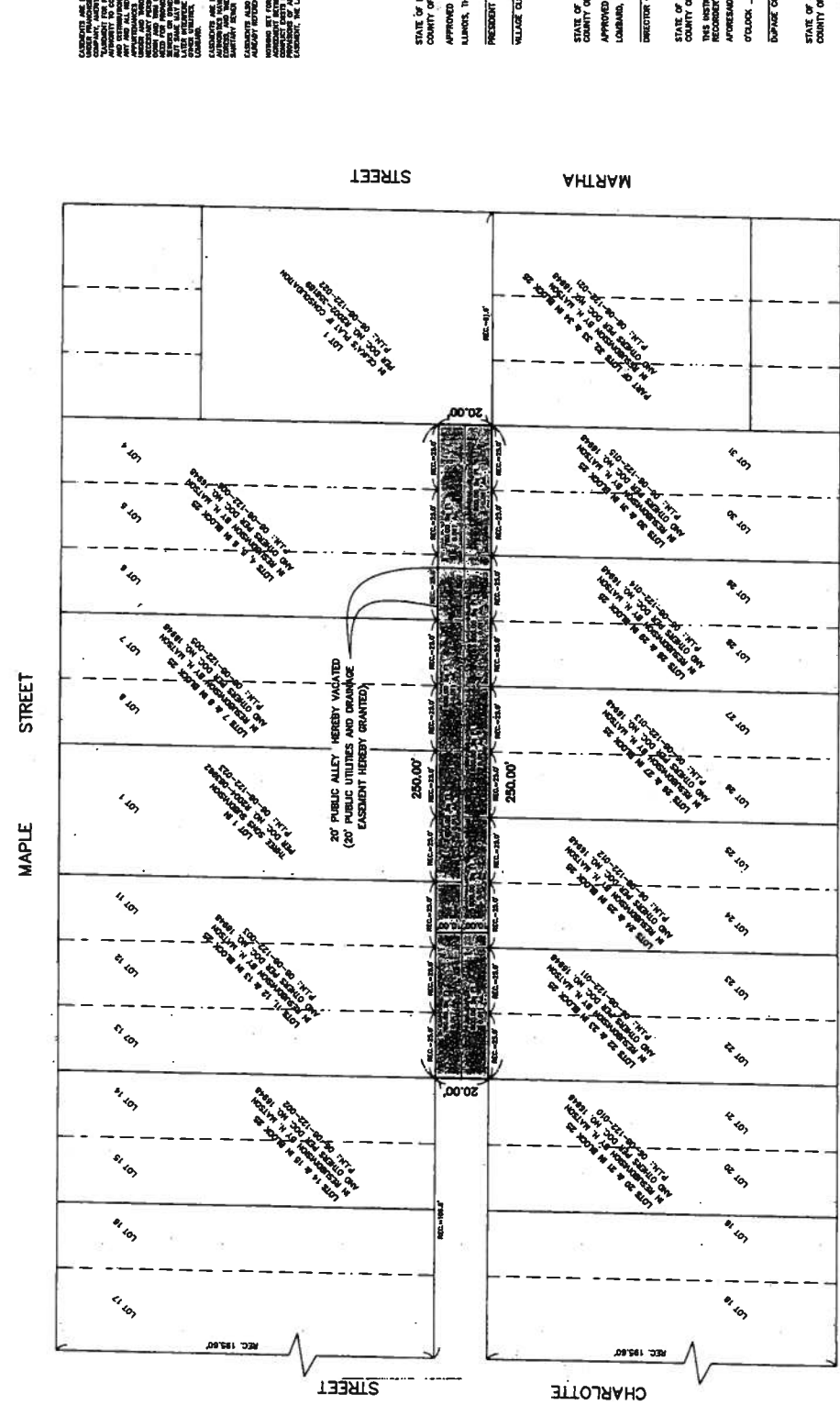
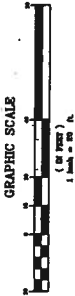
ATTEST:

Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this ___ day of _____, 2011.

Brigitte O'Brien, Village Clerk

PLAT OF VACATION AND GRANT OF EASEMENT



PLAN: 08-08-123-003
08-08-123-003
08-08-123-006
08-08-123-006
08-08-123-012
08-08-123-012
08-08-123-015
08-08-123-015
08-08-123-023

UTILITY AND DRAINAGE easements are shown to be the value of various utility companies providing service to the property, and are shown to be the value of various utility companies providing service to the property...

APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOURDARD, ILLINOIS, THIS _____ DAY OF _____ A.D. 20__

PRESIDENT _____

VILLAGE CLERK _____

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

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

DIRECTOR OF COMMUNITY DEVELOPMENT _____

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

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

DUPAGE COUNTY RECORDER OF RECORDS _____

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

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

DUPAGE COUNTY RECORDER OF RECORDS _____

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

THIS IS TO CERTIFY THAT _____ HAS BEEN DEPOSITED IN THE OFFICE OF THE RECORDER OF RECORDS OF DUPAGE COUNTY, ILLINOIS, FOR THE PURPOSE OF RECORDING THE SAME. ALL DOCUMENTS SHOWN IN FEET AND DECIMAL PARTS THEREOF. ALL OTHERS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

CHINA UNDER MY HAND AND SEAL, THIS _____ DAY OF _____ 20__

ILLINOIS PROFESSIONAL LAND SURVEYOR LICENSE NO. _____

MY LICENSE EXPIRES NOVEMBER 30, 20__

GERTZ & ASSOCIATES, INC.
SURVEYORS

300 S. L. OVERLAK BLVD.
CHICAGO, ILLINOIS 60616
PHONE: (312) 262-2216
FAX: (312) 262-2216

PREPARED FOR: VILLAGE OF LOURDARD-DOTY, OF COMMUNITY DEVELOPMENT
DRAWN BY: _____
CHECKED BY: _____
DATE: _____

ILLINOIS PROFESSIONAL LAND SURVEYOR LICENSE NO. 164-00079
PREPARED FOR: VILLAGE OF LOURDARD-DOTY, OF COMMUNITY DEVELOPMENT
DRAWN BY: _____
CHECKED BY: _____
DATE: _____

ILLINOIS PROFESSIONAL LAND SURVEYOR LICENSE NO. _____

MY LICENSE EXPIRES NOVEMBER 30, 20__

CHINA UNDER MY HAND AND SEAL, THIS _____ DAY OF _____ 20__

ILLINOIS PROFESSIONAL LAND SURVEYOR LICENSE NO. _____

MY LICENSE EXPIRES NOVEMBER 30, 20__

ALLEY VACATION

100 BLOCK WEST
MAPLE & ASH



SCALE:
1"=70'
DEC 2010

217 PROPOSED ALLEY VACATION
WITH SQUARE FOOTAGE

110

114

116

126

130

MAPLE ST

CHARLOTTE ST

MARTHA ST

101

107

109

115

121

125

131

208

748

488

490

728

514

511

517

530

525

218

102

106

110

114

118

122

126

130

ASH ST

43

101

105

111

115

119

125

125

131

135