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FRED BUCHOLZ, RECORDER
DUPAGE COUNTY ILLINOIS
05/06/2020 02:35 PM

DOCUMENT # R2020-044870

ORDINANCE 7787

AN ORDINANCE AMENDING ORDINANCE NO. 5759,
ADOPTED NOVEMBER 3, 2005, ENTITLED,
“AN ORDINANCE VACATING A PORTION OF LOMBARD
ROAD RIGHT-OF-WAY
NORTH OF THE COMMONWEALTH EDISON RIGHT-OF-
WAY”, TO DELETE
THE REDEDICATION OPTION PROVISION AS CONTAINED
THEREIN

PIN(s): 03-31-204-007

ADDRESS: THAT PART OF LOMBARD ROAD LYING
SOUTH OF THE SOUTH LINE OF THE ILLINOIS
CENTRAL RAILROAD RIGHT-OF-WAY AND NORTH
OF THE NORTH LINE OF THE COMMONWEALTH
EDISON RIGHT-OF-WAY, IN THE NORTHEAST 1/4
OF SECTION 31, TOWNSHIP 40 NORTH, RANGE 11
EAST OF THE THIRD PRINCIPAL MERIDIAN, IN
DUPAGE COUNTY, ILLINOIS

Prepared by and Return To:
(Village of Lombard)
255 E. Wilson Avenue
Lombard, IL 60148

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I, **Janet Downer**, 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 copy of

ORDINANCE 7787

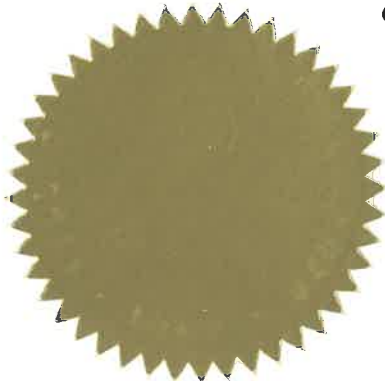
AN ORDINANCE AMENDING ORDINANCE NO. 5759,
ADOPTED NOVEMBER 3, 2005, ENTITLED,
“AN ORDINANCE VACATING A PORTION OF LOMBARD ROAD
RIGHT-OF-WAY NORTH OF THE COMMONWEALTH EDISON RIGHT-
OF-WAY”, TO DELETE THE REDEDICATION OPTION PROVISION AS
CONTAINED THEREIN

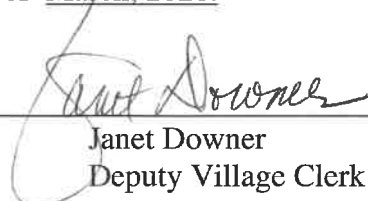
PIN(s) : 03-31-204-007

ADDRESS: THAT PART OF LOMBARD ROAD LYING SOUTH OF THE SOUTH LINE
OF THE ILLINOIS CENTRAL RAILROAD RIGHT-OF-WAY AND NORTH OF THE
NORTH LINE OF THE COMMONWEALTH EDISON RIGHT-OF-WAY, IN THE
NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE
THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS

of the said Village as it appears from the official records
of said Village duly approved this 5th
day of March, 2020.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate
Seal of said **Village of Lombard**, Du Page County, Illinois this 16th
day of March, 2020.





Janet Downer
Deputy Village Clerk
Village of Lombard
DuPage County, Illinois

ORDINANCE 7787

PAMPHLET

**AN ORDINANCE AMENDING ORDINANCE NO. 5759,
ADOPTED NOVEMBER 3, 2005,
VACATING A PORTION OF THE LOMBARD ROAD RIGHT-OF-WAY**



PUBLISHED IN PAMPHLET FORM THIS 6th DAY OF MARCH 2020, BY ORDER
OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE
COUNTY, ILLINOIS.

Sharon Kuderna

Sharon Kuderna
Village Clerk

ORDINANCE NO. 7787

**AN ORDINANCE AMENDING ORDINANCE NO. 5759,
ADOPTED NOVEMBER 3, 2005, ENTITLED,
“AN ORDINANCE VACATING A PORTION OF LOMBARD ROAD RIGHT-OF-WAY
NORTH OF THE COMMONWEALTH EDISON RIGHT-OF-WAY”, TO DELETE
THE REDEDICATION OPTION PROVISION AS CONTAINED THEREIN**

WHEREAS, pursuant to Ordinance No. 5759, adopted November 3, 2005, entitled, “An Ordinance Vacating a Portion of Lombard Road Right-of-Way North of the Commonwealth Edison Right-of-Way”, and recorded with the DuPage County Recorder’s Office as document number R2006-038983 on January 30, 2006, (the “Vacation Ordinance”), the President and Board of Trustees (the “Corporate Authorities”) of the Village of Lombard (the “Village”) vacated the following portion of Lombard Road:

THAT PART OF LOMBARD ROAD LYING SOUTH OF THE SOUTH LINE OF THE ILLINOIS CENTRAL RAILROAD RIGHT-OF-WAY AND NORTH OF THE NORTH LINE OF THE COMMONWEALTH EDISON RIGHT-OF-WAY, IN THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS;

PIN: Pt. 03-31-204-007;

(the “Vacated Right-of-Way”); and

WHEREAS, Section 4.K. of the Vacation Ordinance contained the following provision, relative to a Village option to require the rededication of the Vacated Right-of-Way:

“Upon a written request to the GRANT PROPERTY OWNER from the Village, the GRANT PROPERTY OWNER agrees to rededicate the Subject Vacations right-of-way back to the Village, for public right-of-way purposes, at no cost to the Village (hereinafter referred to as the “Rededication”). The GRANT PROPERTY OWNER shall do all things necessary and appropriate to cooperate with the Village to effectuate the Rededication within six (6) months from the date of receipt of the request by the Village. The Village agrees that any such Rededication request shall only be made, if at all, between the first day of the twentieth (20th) year and the first day of the twenty-fifth (25th) year immediately following the date of this Agreement. The GRANT PROPERTY OWNER shall not be required to pay for or undertake any site improvements within the Subject Variations area as part of any such Rededication.”

(the "Rededication Provision"); and

WHEREAS, the owner of the Vacated Right-of-Way has requested that the Village amend the Vacation Ordinance, to delete the Rededication Provision, so that the owner of the Vacated Right-of-Way can proceed with a multi-tenant office/warehouse development on the Vacated Right-of-Way and the property to the East of and adjacent thereto (the "Development"); and

WHEREAS, the Corporate Authorities have determined that it is in the best interests of the Village that the Development move forward; and

WHEREAS, the Corporate Authorities have determined that, based on the closure of Lombard Road at the Illinois Central Railroad right-of-way, the Village will not have any need for the rededication of the Vacated Right-of-Way, as the Village will not need to re-establish a roadway within the Vacated Right-of-Way; and

WHEREAS, the Corporate Authorities have determined that it is in the best interests of the Village to delete the Rededication Provision from the Vacation Ordinance;

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

SECTION 1: That the recitals, as set forth above, are hereby incorporated herein by reference.

SECTION 2: That the Vacation Ordinance is hereby amended by deleting Section 4.K. (the Rededication Provision) therefrom.

SECTION 3: That all other provisions of the Vacation Ordinance, not amended hereby, shall remain in full force and effect.

SECTION 4: That the Director of Community Development is hereby authorized and directed to record a certified copy of this Ordinance with the DuPage County Recorder's Office.

SECTION 5: That this Ordinance shall be in full force and effect from and after its passage by a three-fourths (3/4ths) vote of the Trustees holding office, approval and publication in pamphlet form, as provided by law.

Passed on first reading this ____ day of _____, 2020.

First reading waived by action of the Board of Trustees this 5th day of March, 2020.


Passed on second reading this 5th day of March, 2020, pursuant to a roll call vote as follows:

Ayes: Trustee Whittington, Foltyniewicz, Honig, Militello and Ware

Nays: None

Absent: Trustee Puccio

APPROVED by me this 5th day of March, 2020.


Keith Giagnorio, Village President

ATTEST:


Sharon Kuderna, Village Clerk

Published by me in pamphlet form this 6th day of March, 2020.


Sharon Kuderna, Village Clerk