

ORDINANCE NO. 5942

**ORDINANCE VACATING A PORTION OF THE VIEW STREET RIGHT-OF-WAY
AND GRANT OF AN EASEMENT FOR PUBLIC UTILITIES AND DRAINAGE**

WHEREAS, the VILLAGE owns the View Street public right-of-way located east of Elizabeth Street; said right-of-way being sixty-six feet (66') in width and one-hundred forty feet (140') in length, and which is located within the corporate limits of the VILLAGE; and

WHEREAS, said right-of-way is unimproved; and

WHEREAS, the public right-of-way no longer serves the pedestrian or motor vehicle transportation needs of the VILLAGE; and

WHEREAS, the VILLAGE has determined that the same portion of the View Street right-of-way is still needed for public utility and drainage purposes; and

WHEREAS, the Corporate Authorities of the VILLAGE have received a Plat of Right of Way Vacation and Easement Dedication for a portion of View Street, attached hereto as "Exhibit A" and made part hereof; 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 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 a portion of View Street as hereinafter described.

SECTION 2: That part of View Street described as follows:

That part of View Street bounded by northerly extensions of the east and the west lines of Lot 3 in Kemper's Division, recorded November 10, 1927 as Document No. 246494 in Book 18, Page 20, in DuPage County, Illinois.

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

SECTION 3: That an easement for public utilities over, above, under, upon and across said vacated area described in Section 2 above is hereby reserved by and dedicated to the Village of Lombard for public utilities and drainage purposes.

SECTION 4: Pursuant to 65ILCS 5/11-91-1, the owner of the following parcel (Heather Mesli) shall acquire title to the south thirty-three feet (33.0') of the vacated street that lies immediately adjacent to their respective property thereto:

06-06-416-001 – 323 North Elizabeth St., Lombard, IL

SECTION 5: Pursuant to 65ILCS 5/11-91-1, the owner of the following parcel (Lombard School District #44) shall acquire title to the north thirty-three feet (33.0') of the vacated street that lies immediately adjacent to their respective property thereto:

06-06-410-003 – 341 North Elizabeth St., Lombard, IL

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 _____, 2006.

First reading waived by action of the Board of Trustees this 19th day of October, 2006.

Passed on second reading this 19th day of October, 2006.

Ayes: Trustees Gron, Tross, O'Brien, Sebby, Florey & Soderstrom

Nayes: None

Absent: None

Approved this 19th day of October, 2006.

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Re: View Street Vacation

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William J. Mueller, Village President

ATTEST:



Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this 24th day of October, 2006.



Brigitte O'Brien, Village Clerk