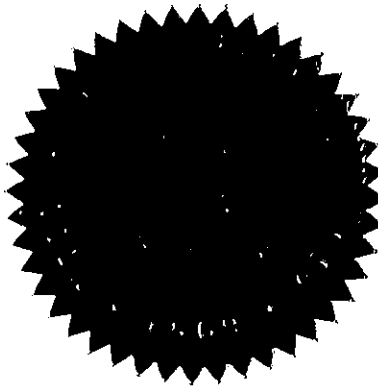


ORDINANCE 4419


PAMPHLET

FRONT OF PAMPHLET

REPEALING ORDINANCE 3882
REGARDING 404 W. ROOSEVELT ROAD
SUBWAY



PUBLISHED IN PAMPHLET FORM THIS 11th DAY OF FEBRUARY, 1998.
BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD,
DUPAGE COUNTY, ILLINOIS.


Lorraine G. Gerhardt
Village Clerk

**AN ORDINANCE REPEALING ORDINANCE NO. 3882, ADOPTED
JULY 7, 1994, IN REGARD TO THE VACATION OF A PORTION OF THE
EDSON STREET RIGHT-OF-WAY NORTH OF ROOSEVELT ROAD**

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

SECTION 1: The President and Board of Trustees find as follows:

- A. Pursuant to Ordinance No. 3882, adopted July 7, 1994, and recorded as document number R96-159019 on September 27, 1996 (Book 178, Page 145 relative to the Plat attached to said Ordinance), the following described portion of Edson Street was vacated at the request of the abutting property owner to the West (hereinafter the "Petitioner"), contingent upon certain specified consideration/compensation being provided by said Petitioner to the Village:

That portion of Edson Street located East of and adjacent to Lot 18, and the south one-half (1/2) of the twenty (20) foot vacated alley North of and adjacent to Lot 18, in Block 13 in Roosevelt Crest, a Subdivision of the Southeast Quarter of Section 18, Township 39 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded June 12, 1930 as Document 298665, in DuPage County, Illinois;

said portion of Edson Street having never been developed as a paved right-of-way.

- B. That the consideration/compensation required was specifically set forth in Sections 3 and 4 of Ordinance No. 3882, in the form of required public improvements deemed to have a cash value of \$20,000.00, said amount being determined as the fair cash value for the property subject to the vacation.
- C. That one of the items of consideration/compensation was a requirement that the public improvements all be constructed prior to June 1, 1995.
- D. That said June 1, 1995 completion date was extended from time to time, by Ordinance, with a final completion date being established as June 1, 1997.
- E. That as of June 1, 1997, the following items of consideration/compensation, as set forth in Sections 3 and 4 of Ordinance No. 3882, had not be provided as required by said Ordinance:

1. Section 3B
2. Section 3D
3. Section 3E
4. Section 3H

- 5. Section 4A
- 6. Section 4B
- 7. Section 4D
- 8. Section 4E

- F. That the Petitioner has acknowledged his inability to provide the required consideration/compensation and has no objection to the repeal of Ordinance No. 3882, as evidenced by Exhibit "A" attached hereto and made part hereof.
- G. That having failed to receive the required consideration/compensation for said street vacation, it is in the best interests of the Village to repeal Ordinance No. 3882, and thereby void the street vacation provided for therein.

SECTION 2: That based upon the findings set forth in Section 1 above, the President and Board of Trustees hereby repeal Ordinance No. 3882, and thereby void the street vacation provided for therein.

SECTION 3: That the Department of Community Development is hereby directed to record a certified copy of this Ordinance with the DuPage County Recorder of Deeds.

SECTION 4: 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 _____, 1998.

First reading waived by action of the Board of Trustees this 5th day of February 1998.

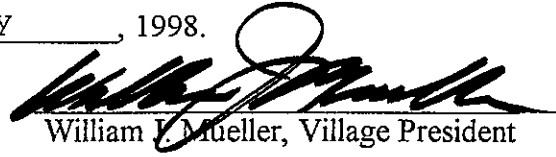
Passed on second reading this 5th day of February, 1998.

AYES: Trustees Borgatell, Tross, Schaffer, Jaugilas, Gatz and Kufrin


NAYS: None

ABSENT: None

Approved by me this 5th day of February, 1998.


William J. Mueller, Village President

ATTEST:


Lorraine G. Gerhardt, Village Clerk

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