

DocId:20068323

Tx:40501248

KATHLEEN V. CARRIER, RECORDER
DUPAGE COUNTY ILLINOIS
06/06/2023 11:11 AM

DOCUMENT # R2023-034730

ORDINANCE 8160

AN ORDINANCE ABROGATING AN EASEMENT FOR A WATER MAIN LOCATED AT 300-398 Summit Circle (formerly 4- 44 Yorktown Shopping Center)

PIN(s): 06-29-101-052 through -148

**ADDRESS: 300-398 Summit Circle (formerly 4-44
Yorktown Shopping Center Center), Lombard, IL**

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



I, **Sheila York**, 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 8160

AN ORDINANCE ABROGATING AN EASEMENT FOR A WATER MAIN
LOCATED AT 300-398 Summit Circle (formerly 4-44 Yorktown Shopping
Center)

PIN(s) 06-29-101-052 through -148

ADDRESS: 300-398 Summit Circle (formerly 4-44 Yorktown Shopping Center
Center), Lombard Il

of the said Village as it appears from the official records
of said Village duly approved this 18th
day of May 2023.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate
Seal of said **Village of Lombard**, Du Page County, Illinois this 6th
day of June 2023.



A handwritten signature in black ink, which appears to read "Sheila York", is written over a horizontal line. The signature is stylized and cursive.

Sheila York
Deputy Village Clerk
Village of Lombard
DuPage County, Illinois

ORDINANCE NO. 8160

**AN ORDINANCE ABROGATING AN EASEMENT FOR A WATER MAIN
LOCATED AT 300-398 Summit Circle (formerly 4-44 Yorktown Shopping Center)**

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

SECTION 1: That the President and Board of Trustees of the Village of Lombard (hereinafter the "Village") find as follows:

- A. The Village is the owners of an easement for a public water main, pursuant to a Plat of Resubdivision, as legally described as follows:

LOTS 1011 THROUGH 1161 AND COMMON AREA LOTS 9000-9006 IN THE SUMMIT AT YORKTOWN SUBDIVISION, BEING A RESUBDIVISION OF LOT 4 IN YORKTOWN COMMONS PHASE 1, BEING A RESUBDIVISION OF PART OF SECTION 29, TONWSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 20, 2023 AS DOCUMENT R2023-003991, IN DUPAGE COUNTY, ILLINOIS.

PINs: 06-29-101-052 through -148

FORMERLY KNOWN AS PIN: 06-29-101-047

COMMON ADDRESS AND LOCATION: 300-398 Summit Circle
(formerly 4-44 Yorktown Shopping Center Center)

- B. The property owner, D. R. Horton Inc. – Midwest, has requested that the Village abrogate the aforementioned water main easement, as depicted in the Plat of Abrogation, attached hereto as Exhibit A, and made part hereof.
- C. The Village finds that the aforementioned water main easement is no longer needed by the Village.

SECTION 2: It is hereby determined that the public interest will be subserved by

abrogating the water main, as shown on the Plat of Abrogation attached hereto as Exhibit A, and, therefore, the water main easement is hereby abrogated, and the Plat of Abrogation is hereby approved.

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

Passed on first reading this 4th day of May, 2023.

First reading waived by action of the Board of Trustees this ____ day of

_____, 2023.


Passed on second reading this 18th day of May, 2023, pursuant to a roll call vote as follows:

AYES: Village President Giagnorio, Trustee LaVaque, Puccio, Dudek, Honig, Militello and Bachner

NAYS: None

ABSENT: None

APPROVED by me this 18th day of May, 2023.


Keith T. Giagnorio, Village President

ATTEST:



Elizabeth Brezinski, Village Clerk

Exhibit A

Plat of Easement Abrogation

(attached)

PLAT OF ABROGATION
OF WATER MAIN EASEMENT

LEGAL DESCRIPTION OF PARCEL
BEING A REBUNDION OF PART OF SECTION 29,
TOWNSHIP 35 NORTH, RANGE 12E, COUNTY OF DUPAGE,
ILLINOIS, AS SHOWN ON PLAN RECORDED IN DUPAGE
COUNTY RECORDS AS DOCUMENT #003911, IN DUPAGE

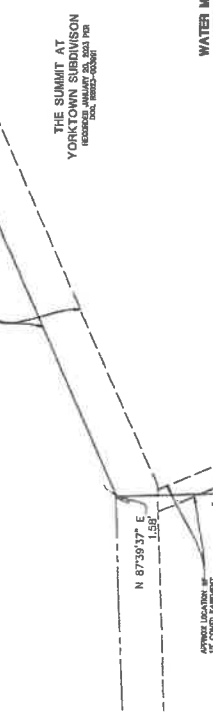
LEGAL DESCRIPTION OF EASEMENT ABROGATION
THAT PART OF THE PARCEL DESCRIBED IN PARAGRAPH 1 OF
SECTION 49, TOWNSHIP 35 NORTH, RANGE 12E, COUNTY OF DUPAGE,
ILLINOIS, AS SHOWN ON PLAN RECORDED IN DUPAGE COUNTY RECORDS
AS DOCUMENT #003911, BEING A REBUNDION OF PART OF SAID PARCEL,
SITING AS SHOWN ON SAID PLAN, BEING 174.41 FEET TO THE PLACE OF
BEGINNING, THENCE CONTINUING SOUTH 85 DEGREES 24
MINUTES 24 SECONDS EAST, 12.80 FEET, THENCE SOUTH 24
DEGREES 30 MINUTES 59 SECONDS WEST, 49.83 FEET, THENCE NORTH 20
DEGREES 09 MINUTES 20 SECONDS WEST, 112.95 FEET TO THE PLACE OF
BEGINNING.

THAT THE PLAT OF ABROGATION BEING A REBUNDION OF PART OF
SECTION 49, TOWNSHIP 35 NORTH, RANGE 12E, COUNTY OF DUPAGE,
ILLINOIS, AS SHOWN ON SAID PLAN, BEING A REBUNDION OF PART OF
SAID PARCEL, SITING AS SHOWN ON SAID PLAN, BEING 174.41 FEET TO
THE PLACE OF BEGINNING, THENCE CONTINUING SOUTH 85 DEGREES
24 MINUTES 24 SECONDS EAST, 12.80 FEET, THENCE SOUTH 24 DEGREES
30 MINUTES 59 SECONDS WEST, 49.83 FEET, THENCE NORTH 20 DEGREES
09 MINUTES 20 SECONDS WEST, 112.95 FEET TO THE PLACE OF
BEGINNING.

GRAPHIC SCALE
(1" = 40 FT.)
1 inch = 40 ft.

BASIS OF BEARINGS

COORDINATES AND BEARINGS ARE BASED UPON THE ILLINOIS STATE PLATE
COORDINATE SYSTEM, 1983 (NAD 83), ADJUSTED TO GROUND ALIGNMENT,
USING A LOCAL DATUM. THE LOCAL DATUM IS THE MEAN SEA LEVEL
SATELLITE SYSTEM (MSS) USING THE NAD 83 DATUM.



LOT 9
YORKTOWN CORONERS
PRIZE 1 SUBDIVISION
RECORD # 003911, 10710
DATE OF RECORDED 01/21/08

APPROXIMATE LOCATION OF
30' WATER MAIN EASEMENT
HEREBY ABROGATED

EXISTING PLANS
06-28-101-002 THROUGH 06-29-101-148
PLAT PREPARED FOR

D.R. WILSON, INC. - ADDRESS
SCHWABERG, ILLINOIS 60172

SUBMITTED BY/RETURN TO:
THE VILLAGE OF LOMBARD
ATTN: COMMUNITY DEVELOPMENT
252 E. WILSON AVE.
LOMBARD, ILLINOIS 60146

SURVEYOR'S NOTES
1. BEARING AND DISTANCE IN FEET AND DECIMAL PLACES THROUGHOUT THIS PLAN SHALL BE
CORRECTED TO THE TRUE BEARING AND DISTANCE. DISTANCES AND/OR BEARINGS SHOWN IN PARAGRAPHS
(045-07) ARE CORRECTED TO THE TRUE BEARING AND DISTANCE.

COUNTY RECORDER'S CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF DUPAGE)

THIS INSTRUMENT NO. _____
WAS RECORDED IN THE OFFICE OF THE
CLERK OF THE COUNTY OF DUPAGE ON THIS
ILLINOIS ON THIS _____ DAY OF _____
A.D. 20____ AT _____
_____ O'CLOCK _____
DUPAGE COUNTY RECORDER

GUNDER'S CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF DUPAGE)

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ILLINOIS, DO HEREBY CERTIFY
THAT THE FOREGOING COPY OF THE INSTRUMENT IS A TRUE AND CORRECT COPY OF THE
ORIGINAL INSTRUMENT AS FILED IN MY OFFICE AND THAT SAID INSTRUMENT
WAS RECORDED IN MY OFFICE ON THE DATE AND AT THE PLACE ABOVE SAID.

NOTARY PUBLIC
STATE OF ILLINOIS)
COUNTY OF DUPAGE)

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ILLINOIS, DO HEREBY CERTIFY
THAT THE FOREGOING COPY OF THE INSTRUMENT IS A TRUE AND CORRECT COPY OF THE
ORIGINAL INSTRUMENT AS FILED IN MY OFFICE AND THAT SAID INSTRUMENT
WAS RECORDED IN MY OFFICE ON THE DATE AND AT THE PLACE ABOVE SAID.

STATE OF ILLINOIS)
COUNTY OF DUPAGE)

SUBSCRIBER'S CERTIFICATE
I DO HEREBY CERTIFY THAT THE FOREGOING COPY OF THE INSTRUMENT IS A TRUE AND CORRECT
COPY OF THE ORIGINAL INSTRUMENT AS FILED IN MY OFFICE AND THAT SAID INSTRUMENT
WAS RECORDED IN MY OFFICE ON THE DATE AND AT THE PLACE ABOVE SAID.

STATE OF ILLINOIS)
COUNTY OF DUPAGE)

COMMUNITY DEVELOPMENT DIRECTOR'S CERTIFICATE
I DO HEREBY CERTIFY THAT THE FOREGOING COPY OF THE INSTRUMENT IS A TRUE AND CORRECT
COPY OF THE ORIGINAL INSTRUMENT AS FILED IN MY OFFICE AND THAT SAID INSTRUMENT
WAS RECORDED IN MY OFFICE ON THE DATE AND AT THE PLACE ABOVE SAID.

ORDINANCE NO. 8160

**AN ORDINANCE ABROGATING AN EASEMENT FOR A WATER MAIN
LOCATED AT 300-398 Summit Circle (formerly 4-44 Yorktown Shopping Center)**

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

SECTION 1: That the President and Board of Trustees of the Village of Lombard (hereinafter the "Village") find as follows:

- A. The Village is the owners of an easement for a public water main, pursuant to a Plat of Resubdivision, as legally described as follows:

LOTS 1011 THROUGH 1161 AND COMMON AREA LOTS 9000-9006 IN THE SUMMIT AT YORKTOWN SUBDIVISION, BEING A RESUBDIVISION OF LOT 4 IN YORKTOWN COMMONS PHASE 1, BEING A RESUBDIVISION OF PART OF SECTION 29, TONWISHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 20, 2023 AS DOCUMENT R2023-003991, IN DUPAGE COUNTY, ILLINOIS.

PINs: 06-29-101-052 through -148

FORMERLY KNOWN AS PIN: 06-29-101-047

COMMON ADDRESS AND LOCATION: 300-398 Summit Circle
(formerly 4-44 Yorktown Shopping Center Center)

- B. The property owner, D. R. Horton Inc. – Midwest, has requested that the Village abrogate the aforementioned water main easement, as depicted in the Plat of Abrogation, attached hereto as Exhibit A, and made part hereof.
- C. The Village finds that the aforementioned water main easement is no longer needed by the Village.

SECTION 2: It is hereby determined that the public interest will be subserved by

abrogating the water main, as shown on the Plat of Abrogation attached hereto as Exhibit A, and, therefore, the water main easement is hereby abrogated, and the Plat of Abrogation is hereby approved.

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

Passed on first reading this 4th day of May, 2023.

First reading waived by action of the Board of Trustees this ____ day of

_____, 2023.


Passed on second reading this 18th day of May, 2023, pursuant to a roll call vote as follows:

AYES: Village President Giagnorio, Trustee LaVaque, Puccio, Dudek, Honig, Militello and Bachner

NAYS: None

ABSENT: None

APPROVED by me this 18th day of May, 2023.


Keith T. Giagnorio, Village President

ATTEST:


Elizabeth Brezinski, Village Clerk

Exhibit A

Plat of Easement Abrogation

(attached)

PLAT OF ABROGATION OF WATER MAIN EASEMENT

LEGAL DESCRIPTION OF EASEMENT
BEING A REBROWNING OF PART OF SECTION 20,
TOWNSHIP 35 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN,
COUNTY OF DU PAGE, ILLINOIS, AS DOCUMENT #2023-003971, IN DU PAGE
COUNTY RECORDS, DATED JANUARY 20, 2023.

LEGAL DESCRIPTION OF EASEMENT ABROGATION

THE PART OF THE SUMMIT AT YORKTOWN SUBDIVISION, BEING A REBROWNING OF PART OF
SECTION 20, TOWNSHIP 35 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN,
COUNTY OF DU PAGE, ILLINOIS, AS DOCUMENT #2023-003971, IN DU PAGE
COUNTY RECORDS, DATED JANUARY 20, 2023, IS ABROGATED AS SHOWN ON THIS
PLAT. THE ABROGATION BEGINS AT THE SOUTHWEST CORNER OF SAID SUBDIVISION
ROAD SUBDIVISION 174.4 FEET TO THE PLACE OF BEGINNING, THENCE CONTINUING SOUTH 85
DEGREES 37' 12" WEST 143.83 FEET, THENCE NORTH 20.18 DEGREES
NORTH 24 DEGREES 07' 37" WEST 143.83 FEET, THENCE NORTH 20.18 DEGREES
SOUTH 24 DEGREES 07' 37" WEST 143.83 FEET, THENCE SOUTH 24 DEGREES
SOUTH 24 DEGREES 07' 37" WEST 143.83 FEET, THENCE WEST 143.83 FEET, THENCE
SOUTH 24 DEGREES 07' 37" WEST 143.83 FEET TO THE PLACE OF BEGINNING.

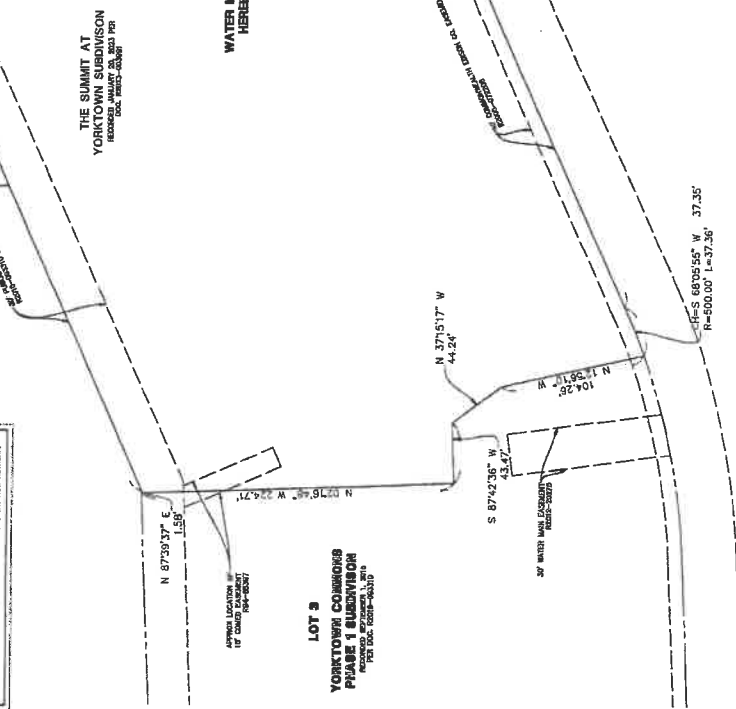
IN DU PAGE COUNTY, ILLINOIS.



1" = 40 FT.
(1/8" INCHES)

BASIS OF BEARINGS

COORDINATES AND BEARINGS ARE BASED UPON THE ILLINOIS STATE PLATE
NORMAL SYSTEM. THE ZONE AND WILL ADJUSTED TO DYNAMIC HORIZON
SITUATION SYSTEM (SDS) USING THE SHIELD VRS FOR ALIGNMENT.



EXISTING PINS
06-28-10-102 THROUGH 06-28-10-148

PLAT PREPARED FOR
D.R. YORKTOWN, INC.-ADDRESSEE
172 N. WILSON AVE.
SCHWABERDORF, ILLINOIS 60172

SUBMITTED BY/RETURN TO:
THE VILLAGE OF LOMBARD
ATTN: COMMUNITY DEVELOPMENT
255 E. WILSON AVE.
LOMBARD, ILLINOIS 60148

SURVEYOR'S NOTES
1. DISTANCES ARE MARKED AS FEET AND DECIMAL PLACES THEREOF. NO DIMENSION SHALL BE
CORRECTED UNLESS IT BEGINS WITH THE LETTER "C" OR "D" AND IS MARKED AS FEET/INCHES
(C&I) AND RECORD IN GOOD VOUCHERS.

COUNTY RECORDER'S CERTIFICATE
STATE OF ILLINOIS } ss
COUNTY OF DU PAGE }

THIS INSTRUMENT NO. _____
WAS FILED TO RECORD IN THE RECORDER'S OFFICE OF
DU PAGE COUNTY
ILLINOIS ON THIS _____ DAY OF _____
A.D. 20____ AT _____ O'CLOCK _____ M.

OWNER'S CERTIFICATE
STATE OF ILLINOIS } ss
COUNTY OF DU PAGE }

I, THE UNDERSIGNED, A HONORABLE MAN AND ONE OF THE CREDITORS OF THE ESTATE OF SAID
DECEASED, DO HEREBY CERTIFY THAT THE ABOVE-DESCRIBED ESTATE IS PERSONALLY MINE TO BE
APPLIED AND DELIVERED SAID ESTATE TO THE PERSONS ENTITLED TO RECEIVE THE SAME
AND THAT SAID INDIVIDUAL

REBARY CERTIFICATE
STATE OF ILLINOIS } ss
COUNTY OF DU PAGE }

I, THE UNDERSIGNED, A HONORABLE MAN AND ONE OF THE CREDITORS OF THE ESTATE OF SAID
DECEASED, DO HEREBY CERTIFY THAT THE ABOVE-DESCRIBED ESTATE IS PERSONALLY MINE TO BE
APPLIED AND DELIVERED SAID ESTATE TO THE PERSONS ENTITLED TO RECEIVE THE SAME
AND THAT SAID INDIVIDUAL

SUBROGEE'S CERTIFICATE
STATE OF ILLINOIS } ss
COUNTY OF DU PAGE }

IT IS TO BE CERTIFIED THAT THE UNDERSIGNED HAS BEEN DULY NOTIFIED OF THE ABROGATION AND
THAT THE ABROGATION IS IN ACCORDANCE WITH THE TERMS OF SAID INSTRUMENT AND THAT THE
ABROGATION IS A TRUE AND CORRECT

COMMUNITY DEVELOPMENT DIRECTOR'S CERTIFICATE
STATE OF ILLINOIS } ss
COUNTY OF DU PAGE }

I, THE UNDERSIGNED, DIRECTOR OF COMMUNITY DEVELOPMENT OF THE
VILLAGE OF LOMBARD, DO HEREBY CERTIFY THAT THIS PLAT OF ABROGATION
IS IN ACCORDANCE WITH THE TERMS OF SAID INSTRUMENT AND THAT THE
ABROGATION IS A TRUE AND CORRECT

Manhard CONSULTING
215 West Park Lane
Chicago, IL 60604
(773) 334-1100
www.manhardconsulting.com

Manhard CONSULTING
215 West Park Lane
Chicago, IL 60604
(773) 334-1100
www.manhardconsulting.com

Manhard CONSULTING
215 West Park Lane
Chicago, IL 60604
(773) 334-1100
www.manhardconsulting.com