

**DISTRICT 2 & 6**

**VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda**

Resolution or Ordinance (Blue) \_\_\_\_\_  
Waiver of First Requested  
Recommendations of Boards, Commissions & Committees (Green)  
Other Business (Pink) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ X \_\_\_\_\_

**TO: PRESIDENT AND BOARD OF TRUSTEES**

**FROM: William T. Lichter, Village Manager**

**DATE: September 12, 2007 (COW) (B of T) Date: September 20, 2007**

**TITLE: Approval of Fee Simple Acquisition and Temporary Easements for Main Street S.T.P.**

**SUBMITTED BY: David A. Dratmol, P.E., Village Engineer** *David A. Dratmol*

**BACKGROUND/POLICY IMPLICATIONS:**

See Memo

**FISCAL IMPACT/FUNDING SOURCE:**

HTE Project: 0617 PW Project: ST-04-06  
HTE Account: 7370.756420

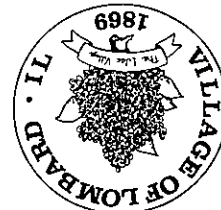
Review (as necessary):

Village Attorney X \_\_\_\_\_  
Finance Director X *William T. Lichter*  
Village Manager X *William T. Lichter*  
Date 9/12/07  
Date 9/12/07

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.

**Interoffice Memo**



**To:**  
**From:**  
**Through:**  
**Date:**  
**Subject:**

William T. Lichter, Village Manager  
 David A. Dratmol, P.E., Village Engineer  
 Wes Anderson, Director Of Public Works  
 September 12, 2007  
 Approval of Fee Simple Acquisition and Temporary Easements for  
 Main Street S.T.P.

The Illinois Department of Transportation (IDOT) requires compensation for property acquisition (fee title, permanent easement and temporary easements) for a project utilizing federal funding (Main Street S.T.P.). Fee negotiation is also an IDOT requirement. Back in September of 2006, the Village Manager approved a contract with Santacruz Associates for fee negotiation services regarding the acquisition of fee simple title to one (1) parcel and eight (8) temporary easements. Santacruz performed similar services for the Village on the Highland Avenue S.T.P. project.

Seven parcels are involved with the Main Street S.T.P. project. A summary of the properties and compensation is listed in the table below.

Easement/ Fee Simple	Parcel ID	Property	Size of Easement	Compensation	Purpose
0001ATE	06-17-305-033	Lombard Pines Shopping Center	13,373 SF	\$9,500.00	Adjustment to 2 Entrances
0001BTE	06-17-305-046	Lombard Pines Shopping Center	2,570 SF	\$500.	Dedication
Fee Simple	Right-of-Way	Lombard Pines Shopping Center	2,570 SF		
0002TE	06-18-413-031	1136 S. Main Street	1,608 SF	\$4,500.00	Adjust Driveaway Slope in 2 Locations
0003TE	06-18-413-025	1122 S. Main Street	1,133 SF	\$2,700.00	Adjust Driveaway Slope
0004TE	06-18-409-024	1110 S. Main Street	784 SF	Additional Concrete Work	Adjust Driveaway Slope
0005TE	06-18-409-023	1100 S. Main Street	1,176 SF	\$2,800.00	Adjust Driveaway Slope
0006TE	06-18-409-011	5 West Central Avenue	566 SF	\$3,500.00	Grading For Drainage
0007TE	06-17-304-001	1101 S. Main Street	1,873 SF	\$5,200.00	Grading For Drainage

Please note a donation was given to Village in exchange for additional concrete driveway work on private property at 1100 S. Main Street. The purpose of doing the additional concrete work is to further reduce the slope of the entrance from Main Street into the parking lot.

A side letter agreement was approved by the Board on September 6, 2007 for the Lombard Pines Shopping Center. It is attached for reference.

It should be noted that Lombard Pines Shopping Center was unaware that it was still owner of the parcel that the Village is acquiring fee simple title to, and, as such, will only provide the Village with a Quit Claim Deed. The title company, however, has clearly indicated the owner of this parcel as the Lombard Pines Shopping Center and, as such, has agreed to insure the Village's ownership thereof based on the Quit Claim Deed conveyance.

Please place this item on the Board of Trustees agenda for the regularly scheduled meeting on September 20, 2007, and request approval of the temporary easements.



**VILLAGE OF LOMBARD**  
 255 E. Wilson Avenue  
 Lombard, IL 60148-3931  
 (630) 620-5700 FAX: (630) 620-8222  
 TDD: (630) 620-5811  
[www.villageoflombard.org](http://www.villageoflombard.org)

September 10, 2007

Village President  
 William J. Mueller

Village Clerk  
 Brigitte O'Brien

Trustees  
 Greg Alan Gron, Dist. 1  
 Richard J. Tross, Dist. 2  
 John "Jack" T. O'Brien, Dist. 3  
 Dana L. Moreau, Dist. 4  
 Laura A. Fitzpatrick, Dist. 5  
 Rick Soderstrom, Dist. 6

Village Manager  
 William T. Lehter

Dear Mr. Sackar:

RE: Lombard Pines Plaza  
 Route: Main Street (FAU 2611)  
 Section: 03-00148-00-PV  
 Job No.: R-55-001-97  
 County: DuPage  
 Parcel: 0001 & TB-A & TB-B

Michael D. Sackar  
 Sackar Inc.  
 945 W. George Street, Suite 207  
 Chicago, IL 60657

In response to your correspondence dated July 19, 2007 to Mr. Steve Santacruz, I am replying to address your concerns and requests.

Please note that the attached legal descriptions which are being used as attachments to the conveyance documents were prepared by a consultant hired by the Village of Lombard ("Lombard") for the benefit of Lombard.

1. It is Lombard's policy to diligently pursue the completion of any construction project and the Main Street project will be no exception. Lombard shall diligently pursue completion of the project in good faith and prosecute performance so as to cause a minimum interference with your property.

2. All paving, curbing, sod replacement and irrigation system repair costs within the right-of-way and temporary easement will be undertaken by Lombard.

3. It is the policy of Lombard to maintain continued access to all properties during the construction period except for extremely minor inconveniences caused by work immediately adjacent to the driveway of your property. In fact, any work involving new pavement for the driveway or for the apron of such driveway would be staged so that only one-half of the driveway would be closed at any time.

In accordance with this policy, Lombard shall not allow the contractor to work on the Morris Street and Edward Street driveways simultaneously.

4. Contractors are advised that they have no right to park construction vehicles or equipment on any private land. The contractor must arrange for such space legally through lease arrangements with property owners, if necessary. Any breach of private property rights should be brought to the attention of the resident engineer or project manager so that immediate action can be taken.

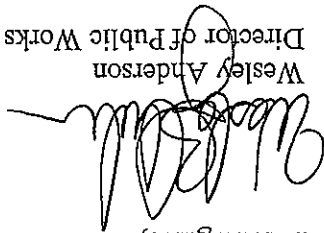
"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and business to create a distinctive sense of spirit and an outstanding quality of life."

"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

5. Lombard shall indemnify, defend and hold harmless Lombard Pines Limited Partnership, and its partners, shareholders, officers, directors, beneficiaries, employees and agents, with respect to any claim or loss, including but not limited to attorney's fees, costs and expenses of litigation, claims and judgments in connection with any and all claims for damages of any kind which may arise, either directly or indirectly, out of the acts or omissions of the Lombard, or its officers, agents, employees or contractors, and relating to the construction of the Main Street project using the temporary easement area.

If you have any further questions concerning this matter, please do not hesitate to contact Ray Schwab (Civil Engineer/Project Manager) or David Dratmol, P.E. (Village Engineer).

Best Regards,



Wesley Anderson  
Director of Public Works

encl.

cc:

J. Steve Santacruz, Santacruz Associates  
Tom Bayer, Village Attorney, Klein, Thorpe & Jenkins

**PLAT OF HIGHWAYS**  
**STATE OF ILLINOIS**  
**DEPARTMENT OF TRANSPORTATION**  
 F.A.U. 2611 (MAIN STREET)  
 SECTION 03-00148-00-PV DUPAGE COUNTY  
 PROJECT JOB NO. R-55-001-97  
 STATION NONE  
 SCALE: 1"=60'  
 SHEET 2 OF 2  
**BUREAU OF LAND ACQUISITION**  
**201 WEST CENTER COURT**  
**SCHAUMBURG, ILLINOIS 60196**

JORGENSEN & ASSOCIATES, INC.  
 120 PARK AVENUE  
 LAKE VILLA, ILLINOIS 60046  
 (647) 358-3371  
 SHEET 1 IS A COVER  
 SHEET 1 IS A COVER  
 SHEET 1 IS A COVER

MADE BY \_\_\_\_\_  
 ROUTE F.A.U. 2611 (MAIN STREET)  
 ON \_\_\_\_\_

JORGENSEN & ASSOCIATES, INC.  
 120 PARK AVENUE  
 LAKE VILLA, ILLINOIS 60046  
 (647) 358-3371  
 SHEET 1 IS A COVER  
 SHEET 1 IS A COVER  
 SHEET 1 IS A COVER

**LEGEND**

- SECTION LINE
- QUARTER SECTION LINE
- QUARTER SECTION LINE
- PLAYED LOT LINE
- PROPERTY (DEED) LINE
- APR
- EXISTING RIGHT OF WAY LINE
- PROPOSED EASEMENT
- MEASURED DIMENSION
- COMPUTED DIMENSION
- RECORD DATA
- EXISTING BUILDING

Bearings are referenced to an assumed bearing of N0°08'45"W along the east line of the Southeast Quarter of Section 18-39-11.

IRON PIPE OR ROD FOUND  
 "MAG" NAIL SET  
 CUT CROSS FOUND OR SET  
 5/8" REBAR SET

THESE STAKES REFERENCE FOUND OR SET MONUMENTATION, SET 5/8 INCH IRON ROD FLUSH WITH GROUND TO THE FOUND IRON STAKE, IDENTIFIED BY COLORED PLASTIC CAP BEARING SURVEYORS REGISTRATION NUMBER.

THESE STAKES, IN CULTIVATED AREAS, REFERENCE FOUND OR SET MONUMENTATION, BURIED 5/8 INCH IRON ROD 20 INCHES BELOW GROUND TO THE FOUND IRON STAKE, IDENTIFIED BY COLORED PLASTIC CAP BEARING SURVEYORS REGISTRATION NUMBER.

STAKING OF PROPOSED RIGHT OF WAY, SET DIVISION OF HIGHWAYS SURVEY MARKER TO MONUMENT THE POSITION SHOWN, IDENTIFIED BY INSCRIPTION DATA AND SURVEYORS REGISTRATION NUMBER.

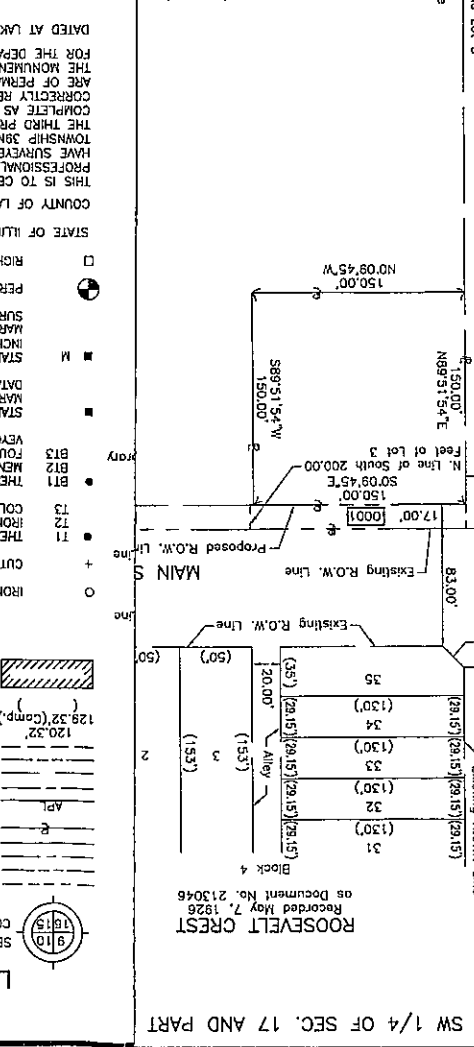
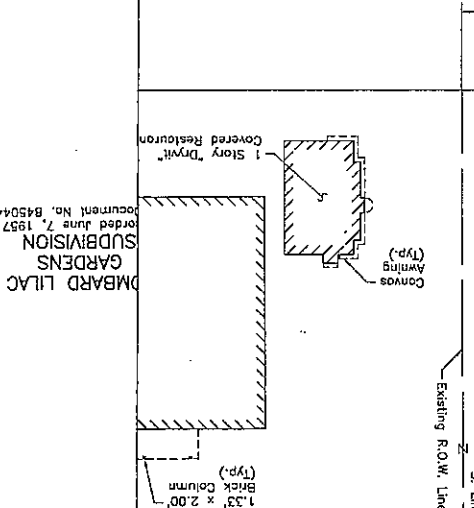
STAKING OF PROPOSED RIGHT OF WAY IN CULTIVATED AREAS, BURIED 5/8 INCH METAL ROD 20 INCHES BELOW GROUND TO MARK FUTURE SURVEY MARKER POSITION IDENTIFIED BY COLORED PLASTIC CAP BEARING SURVEYORS REGISTRATION NUMBER.

PERMANENT SURVEY MARKER, I.D.O.I. STD 2135 (TO BE SET BY OTHERS)

RIGHT OF WAY STAKING PROPOSED TO BE SET.

STATE OF ILLINOIS )  
 COUNTY OF LAKE )  
 THIS IS TO CERTIFY THAT WE, JORGENSEN & ASSOCIATES, INC., AN ILLINOIS PROFESSIONAL DESIGN FIRM, LAND SURVEYING CORPORATION, NUMBER 184-2771, HAVE SURVEYED THE PLAT OF HIGHWAYS SHOWN HEREON BETWEEN SECTION 17, TOWNSHIP 39N, RANGE 11E, AND SECTION 18, TOWNSHIP 39N, RANGE 11E, OF COMPLETE AS SHOWN TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE PLAT CORRECTLY REPRESENTS SAID SURVEY, THAT ALL MONUMENTS FOUND AND ESTABLISHED ARE OF PERMANENT QUALITY AND OCCUPY THE POSITIONS SHOWN AND THAT FOR THE DEPARTMENT OF TRANSPORTATION, STATE OF ILLINOIS, DATED AT LAKE VILLA, ILLINOIS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_ A.D.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2797  
 LICENSE EXPIRATION DATE: NOVEMBER 30, 2006  
 THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.  
 PRESIDENT



DATE \_\_\_\_\_ BY \_\_\_\_\_

ROW PLAN	MADE	CHECKED	INSD	BY	DATE
NOTEBOOK NO.					

ILLINOIS ROUTE 38  
 N. Line NE 1/4 Sec. 19-39-11  
 S. Line SE 1/4 Sec. 18-39-11  
 N. Line NW 1/4 Sec. 20-39-11  
 S. Line SW 1/4 Sec. 17-39-11

ROOSEVELT CREST  
 as Document No. 213046  
 Recorded May 7, 1926  
 as Document No. 213046