

*Recorded  
R 2004-132998  
5/18/04*

**ORDINANCE NO. 5491**

**ORDINANCE VACATING THE UNNAMED PUBLIC RIGHT-OF-WAY  
EAST OF SOUTH EDSON STREET,  
BETWEEN HICKORY STREET AND MADISON STREET  
AND GRANTING A PUBLIC UTILITY EASEMENT  
OVER A PORTION OF THE VACATED RIGHT-OF-WAY**

**WHEREAS**, a twenty foot wide public right-of-way exists between the residential properties located at 443 and 501 South Edson Street; and

**WHEREAS**, said right-of-way is improved with an asphalt surface to provide for vehicular access to private detached garages on the abutting properties; and

**WHEREAS**, said right-of-way is improved with an asphalt surface to provide for vehicular access to private detached garages on the abutting properties; and

**WHEREAS**, a public watermain is located within the public-right-of-way; and

**WHEREAS**, barriers have been placed within the alley to prevent motor vehicle access between Edson Street and Brewster Avenue; and

**WHEREAS**, the public-right-of-way no longer serves the motor vehicle transportation needs of the Village; and

**WHEREAS**, the public-right-of-way still serves the pedestrian needs of the Village; and

**WHEREAS**, the public-right-of-way still serves the utility needs of the Village; and

**WHEREAS**, the Corporate Authorities of the Village of Lombard have received a Plat of Vacation, as attached hereto and marked Exhibit "A" from the property owner abutting the right-of-way to be vacated; 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, provided that easements for public pedestrian access and for public utilities are granted over the right-of-way proposed to be vacated..

SECTION 1: It is hereby determined that the public interest will be served by vacating the portion of the unnamed alley east of South Edson Avenue, between Hickory Street and Madison Street hereinafter described.

SECTION 2: The following described portion of the unnamed alley:

THAT PART OF THE EAST/WEST 20 FOOT PUBLIC ALLEY LYING WEST OF THE EAST LINE OF LOT 6 AND ITS SOUTHERLY EXTENSION AND EAST OF THE WEST LINE OF LOT 6 AND ITS SOUTHERLY EXTENSION IN BLOCK 4 IN LOMBARD FARMS SUBDIVISION, BEING A SUBDIVISION IN THE SOUTH HALF OF SECTION 7, AND THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

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

SECTION 3: Pursuant to 65ILCS 5/11-91-1, the following parcels shall each acquire title to the half of the vacated street or vacated alley that lies immediately adjacent thereto:

06-07-406-010 - 443 S. Edson Street, Lombard, IL  
06-07-406-011 - 501 S. Edson Street, Lombard, IL

SECTION 4: That an easement for public pedestrian access and for public utilities is hereby reserved in the vacated alley as described in Section 2 above.

SECTION 5: That no fences shall be erected within the easement noted in Section 4 above.

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 6: 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 15th day of April, 2004.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2004.


Passed on second reading this 6th day of May, 2004.

Ayes: Trustees Tross, Koenig, Sebbv, Florey, Soderstrom

Nayes: None

Absent: Trustee DeStephano

Approved this 6th day of May, 2004.

  
William J. Mueller, Village President

ATTEST:

  
Barbara A. Johnson, Deputy Village Clerk