

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: April 16, 2007 (B of T) Date: April 19, 2007

TITLE: 213 Ahrens Court

SUBMITTED BY: Department of Community Development *DH/wtl*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration a resolution authorizing the signatures of President and Clerk on a Plat of Abrogation for the removal of a portion of a 10' public utility easement. (DISTRICT #5)

Staff recommends approval of this request.

The property owner submitted this plat on Friday, April 13, after the agenda packets were sent out. The attached e-mail from the property owner requests that the Board consider this item as a special request and that any delay in approving the plat would create financial difficulties. Staff contacted Trustee Ken Florey regarding this request and he stated that he did not have an issue with this item being placed on late agenda.

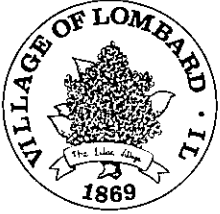
Please place this item on the April 19, 2007 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X *W.T. Lichter* Date *4/17/07*

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.



MEMORANDUM

TO: William T. Lichter, Village Manager

FROM: David A. Hulseberg, AICP, Assistant Village Manager/Director of Community Development DA/WH

DATE: April 19, 2007

SUBJECT: Plat of Abrogation of Utility Easement on 213 Ahrens Court

Attached is a copy of a Plat of Abrogation for a utility easement on the property at 213 Ahrens Court. This abrogation will remove a portion of an existing 10-foot public utility easement that runs through the center portion of the property.

The utility easement was recorded on June 11, 1959 as part of the original Ahrens Court Resubdivision of Parts of Lots 12, 13, 14 and 15 of E.W. Zander's Home Acres. Although no building permit records could be located for this home on this property, York Township Tax Assessor's records indicate that the home was constructed in 1960. As shown on the attached copy of a Plat of Survey for the subject property, the northern edge of the home was constructed within the existing utility easement.

In 2002, the property owner contacted staff regarding the possibility of abrogating this easement for the purpose of constructing a building addition on the rear of the home, but ultimately chose not to proceed with the abrogation at that time. Now, the property owner has accepted an offer to sell the subject property and the potential buyer wishes to have the easement abrogated prior to closing on the property.

The affected public utility companies (ComEd, AT&T, Nicor, and Comcast) have reviewed and signed off on the plat. There are no Village water, sanitary sewer, or storm sewer utilities within the abrogation area.

RECOMMENDATION

Please place this item on the April 19, 2007 Village Board consent agenda with a resolution to authorize the signature of the President and Village Clerk to sign the submitted Plat of Abrogation.



lucy millar
<lucymillar213@yahoo.com

>


04/16/2007 12:58 PM

To communitydevelopment@villageoflombard.org,
villageboard@villageoflombard.org

cc

bcc

Subject 213 S. Ahrens Court Plat of Abrogation

History:  This message has been forwarded.

To all involved with resolving the following matter of Plat of Abrogation

From: Lucy Millar

213 S. Ahrens Court, Lombard, IL

cell phone no. 630-290-0427

Lucy Millar presented on April 13th to The Village of Lombard Plat of Abrogation for Easement on property located at 213 S. Ahrens Court.

The concern of 3 attorneys and three families and two transfers of property are involved.

The families' and attorneys' issues reside in the easement as shown on Plat Survey and Plat of Abrogation for the property of 213 S. Ahrens Court, Lombard, IL.

Part of the home built on 213 S. Ahrens Court was built on said easement, approx. 1960. The attorneys are concerned about the delay on two property closings since the Village of Lombard has not yet offered an exemption to the processing policy-- i.e the 1st or 3rd Thursdays Board Meetings-- thus delaying 213 S Ahrens, Lombard closings as much as 3 weeks.

Please consider a special request to review this matter sooner than May 3.
Delay may contribute to contract loss and a serious financial issue.

Cordially,

Lucy Millar

Ahhh...imagining that irresistible "new car" smell?

Check out [new cars at Yahoo! Autos.](#)

RESOLUTION

R _____ 07

**A RESOLUTION AUTHORIZING SIGNATURE OF
PRESIDENT AND CLERK ON A PLAT OF ABROGATION**

WHEREAS, the Corporate Authorities of the Village of Lombard have received a Plat of Abrogation of Utilities Easements, as attached hereto and marked Exhibit "A"; and,

WHEREAS the Corporate Authorities deem it to be in the best interest of the Village of Lombard to authorize the abrogation of the easement.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That the Village President be and hereby is authorized to sign on behalf of the Village of Lombard said document as attached hereto.

SECTION 2: That the Village Clerk be and hereby is authorized to attest said document as attached hereto.

Adopted this _____ day of _____, 2007.

Ayes: _____

Nayes: _____

Absent: _____

Approved this _____, day of _____, 2007.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk