

**FRED BUCHOLZ**

DUPAGE COUNTY RECORDER

MAY 16, 2018

8:20 AM

OTHER

\$37.00 05-12-202-032

**011 PAGES R2018-042895**

**ORDINANCE 7500**

**AUTHORIZING THE EXECUTION OF A THIRD  
AMENDMENT TO A BOUNDARY LINE  
AGREEMENT WITH THE VILLAGE OF  
GLEN ELLYN**

<u>PIN</u>	<u>Affected Parcels/Property Address</u>
05-12-202-032	<del>889 W. St. Charles Road</del> Vacant Crescent Blvd, Glen Ellyn  AKA Vacant St. Charles, Lombard

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

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 311

PROBLEM SET 1

1998

1999

2000

2001

2002

2003



I, **Janet Downer**, 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 7500

AUTHORIZING THE EXECUTION OF A THIRD  
AMENDMENT TO A BOUNDARY LINE AGREEMENT  
WITH THE VILLAGE OF GLEN ELLYN

of the said Village as it appears from the official records  
of said Village duly approved this 5th  
day of April, 2018.

**In Witness Whereof**, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 1st  
day of May, 2018.



Janet Downer  
Deputy Village Clerk  
Village of Lombard  
DuPage County, Illinois

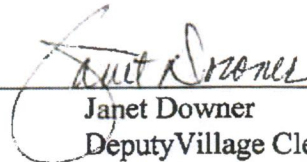


**ORDINANCE 7500  
PAMPHLET**

**THIRD AMENDMENT TO THE BOUNDARY LINE AGREEMENT  
BETWEEN THE VILLAGES OF LOMBARD AND GLEN ELLYN**



PUBLISHED IN PAMPHLET FORM THIS 6<sup>th</sup> DAY OF APRIL 2018, BY ORDER  
OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE  
COUNTY, ILLINOIS.

  
\_\_\_\_\_  
Janet Downer  
Deputy Village Clerk





**ORDINANCE NO. 7500**

**AN ORDINANCE AUTHORIZING THE EXECUTION OF A THIRD AMENDMENT TO A BOUNDARY LINE AGREEMENT WITH THE VILLAGE OF GLEN ELLYN**

**WHEREAS**, the Village of Lombard and the Village of Glen Ellyn entered into a Common Boundary Agreement dated March 1, 2012 and recorded on July 18, 2012, with DuPage County Recorder's Office as document numbers R2012-092711 and R2012-092712 (hereinafter referred to as the "Original Agreement"); and

**WHEREAS**, the Original Agreement established an ultimate municipal boundary line between Lombard and Glen Ellyn, designating the anticipated extent of the respective municipalities as well as the planning jurisdiction relative to adjacent unincorporated areas; and

**WHEREAS**, Lombard and Glen Ellyn entered into a First Amendment to the Original Agreement dated September 14, 2015 and recorded with the DuPage County Recorder's Office by Lombard on November 5, 2015, as document number R2015-122243 and recorded by Glen Ellyn on March 17, 2016 as document R2016-025035 (hereinafter referred to as the "First Amendment"); and

**WHEREAS**, Lombard and Glen Ellyn entered into a Second Amendment to the Original Agreement dated April 20, 2017 and recorded by Lombard on June 30, 2017, with DuPage County Recorder's Office as document number R2017-066011 and recorded by Glen Ellyn on June 21, 2017 as document, R2017-061302 (hereinafter referred to as the "Second Amendment" – the Original Agreement, as amended by the First Amendment and Second Amendment, being hereinafter referred to as the "Amended Agreement"); and

**WHEREAS**, Lombard and Glen Ellyn have jointly determined that the Amended Agreement should be further amended to address the utility connection conditions associated with the anticipated disconnection of property located within the Churchill Woods Forest Preserve (as defined in the Amended Agreement); and

**WHEREAS**, 65 ILCS 5/11-12-9 provides authority for jurisdictional boundary lines such as the Amended Agreement; and

**WHEREAS**, pursuant to 65 ILCS 5/11-12-9, Lombard has provided public notice of this Agreement, by posting a public notice, for not less than fifteen (15) consecutive days, beginning on January 26, 2018, and ending on February 10, 2018, at the location at which notices of Village Board meetings are posted, and by publication of a public notice on January 22, 2018, in the Daily Herald, being a newspaper of general circulation in the territory that is subject to this Agreement; all said notification dates being not less than thirty (30) days, nor more than one-hundred twenty (120) days, prior to the approval of this Agreement by the corporate authorities





of Lombard; and

**WHEREAS**, pursuant to 65 ILCS 5/11-12-9, Glen Ellyn has provided public notice of this Agreement, by posting a public notice, for not less than fifteen (15) consecutive days, beginning on February 2, 2018, and ending on April 10, 2018, at the location at which notices of Village Board meetings are posted, and by publication of a public notice on February 19, 2018, in the Daily Herald, being a newspaper of general circulation in the territory that is subject to this Agreement; all said notification dates being not less than thirty (30) days, nor more than one-hundred twenty (120) days, prior to the approval of this Agreement by the corporate authorities of Glen Ellyn; and

**NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS**, as follows:

**SECTION 1:** That the Third Amendment to the Common Boundary Agreement between the Village of Lombard and the Village of Glen Ellyn attached hereto as **Exhibit A**, and made a part hereof (hereinafter referred to as the “Third Amendment”) is hereby approved, and the Village President and Village Clerk are hereby authorized and directed to execute same.

**SECTION 2:** That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

**SECTION 3:** That said Third Agreement shall become effective after copies thereof, certified as to adoption by the Municipal Clerks of the Villages of Lombard and Glen Ellyn, have been filed in the Office of the Recorder of Deeds of DuPage County, Illinois, and placed on file in the Office of the Clerk of each municipality.

Passed on first reading this 15<sup>th</sup> day of March, 2018.

Ayes: Trustee Whittington, Fugiel, Foltyniewicz, Johnston, Pike and Ware

Nays: None

Absent: None



First reading waived by action of the Board of Trustees this \_\_\_ day of \_\_\_\_\_, 2018.

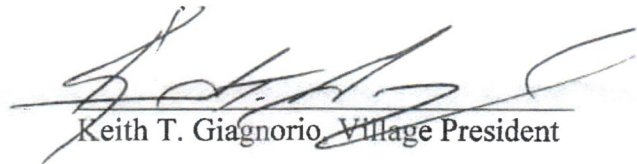
Passed on second reading this 5<sup>th</sup> day of April, 2018, pursuant to a roll call vote as follows:

Ayes: Trustee Whittington, Foltyniewicz, Johnston and Pike

Nays: None

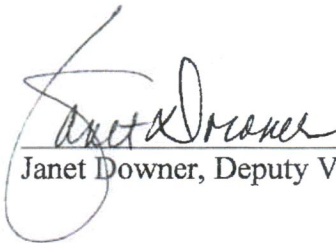
Absent: Trustee Fugiel and Ware

Approved by me this 5<sup>th</sup> day of April, 2018.



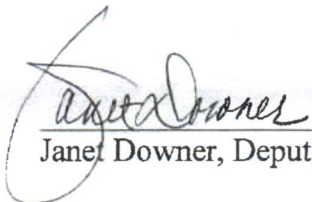
Keith T. Giagnorio, Village President

ATTEST:



Janet Downer, Deputy Village Clerk

Published by me in pamphlet form this 6<sup>th</sup> day of April, 2018.



Janet Downer, Deputy Village Clerk



EXHIBIT A

THIRD AMENDMENT TO COMMON BOUNDARY AGREEMENT BETWEEN  
THE VILLAGE OF LOMBARD AND THE VILLAGE OF GLEN ELLYN

THIS THIRD AMENDMENT TO COMMON BOUNDARY AGREEMENT (hereinafter referred to as the "Third Amendment"), made and entered into this 9 day of April, 2018, between the Village of Glen Ellyn, an Illinois municipal corporation (hereinafter referred to as "Glen Ellyn") and the Village of Lombard, a Illinois municipal corporation (hereinafter referred to as "Lombard").

**WITNESSETH**

**WHEREAS**, the Village of Lombard and the Village of Glen Ellyn entered into a Common Boundary Agreement dated March 1, 2012 and recorded on July 18, 2012, with DuPage County Recorder's Office as document numbers R2012-092711 and R2012-092712 (hereinafter referred to as the "Original Agreement"); and

**WHEREAS**, the Original Agreement established an ultimate municipal boundary line between Lombard and Glen Ellyn, designating the anticipated extent of the respective municipalities as well as the planning jurisdiction relative to adjacent unincorporated areas; and

**WHEREAS**, Lombard and Glen Ellyn entered into a First Amendment to the Original Agreement dated September 14, 2015 and recorded with the DuPage County Recorder's Office by Lombard on November 5, 2015, as document number R2015-122243 and recorded by Glen Ellyn on March 17, 2016 as document R2016-025035 (hereinafter referred to as the "First Amendment"); and

**WHEREAS**, Lombard and Glen Ellyn entered into a Second Amendment to the Original Agreement dated April 20, 2017 and recorded by Lombard on June 30, 2017, with DuPage County Recorder's Office as document number R2017-066011 and recorded by Glen Ellyn on June 21, 2017 as document, R2017-061302 (hereinafter referred to as the "Second Amendment" – the Original Agreement, as amended by the First Amendment and Second Amendment, being hereinafter referred to as the "Amended Agreement"); and

**WHEREAS**, Lombard and Glen Ellyn have jointly determined that the Amended Agreement should be further amended to address the utility connection conditions associated with the anticipated disconnection of property located within the Churchill Woods Forest Preserve (as defined in the Amended Agreement); and

**WHEREAS**, 65 ILCS 5/11-12-9 provides authority for jurisdictional boundary lines such as the Amended Agreement; and





**WHEREAS**, pursuant to 65 ILCS 5/11-12-9, Lombard has provided public notice of this Agreement, by posting a public notice, for not less than fifteen (15) consecutive days, beginning on January 26, 2018, and ending on February 10, 2018, at the location at which notices of Village Board meetings are posted, and by publication of a public notice on January 22, 2018, in the Daily Herald, being a newspaper of general circulation in the territory that is subject to this Agreement; all said notification dates being not less than thirty (30) days, nor more than one-hundred twenty (120) days, prior to the approval of this Agreement by the corporate authorities of Lombard; and

**WHEREAS**, pursuant to 65 ILCS 5/11-12-9, Glen Ellyn has provided public notice of this Agreement, by posting a public notice, for not less than fifteen (15) consecutive days, beginning on February 2, 2018, and ending on April 10, 2018, at the location at which notices of Village Board meetings are posted, and by publication of a public notice on February 19, 2018, in the Daily Herald, being a newspaper of general circulation in the territory that is subject to this Agreement; all said notification dates being not less than thirty (30) days, nor more than one-hundred twenty (120) days, prior to the approval of this Agreement by the corporate authorities of Glen Ellyn;

NOW, THEREFORE, in consideration of the foregoing, the mutual agreements set forth herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by Lombard and Glen Ellyn, Lombard and Glen Ellyn agree as follows:

1. That the provisions of the preambles set forth above are made a part hereof as if fully set forth herein.
2. That Section 7 of the Amended Agreement is hereby amended to read as follows:

“SECTION 7: There are a number of properties currently within Lombard which will be in Glen Ellyn’s Annexation Boundary Area under this Agreement. In this regard, upon a petition from the property owner, Lombard will disconnect that portion of the Great Western Trail shown on Exhibit “E” attached hereto and made part hereof, and those parcels of property shown on Exhibits “F” (the “Churchill Woods Property”) and “G” (the “Forest Preserve/Tollway Property”) attached hereto and made part hereof, which properties will then be annexed to Glen Ellyn.”

3. That all other provisions of the Amended Agreement, not amended hereby, shall remain in full force and effect.
4. This Third Amendment shall not become effective until a copy hereof, certified by the Village Clerks of Lombard and Glen Ellyn, has been recorded with the DuPage County Recorder’s Office, and copies hereof, certified by the Village Clerks of Lombard and Glen Ellyn, have been placed on file in the Offices of the Village Clerk of Lombard and the Village Clerk of Glen Ellyn.



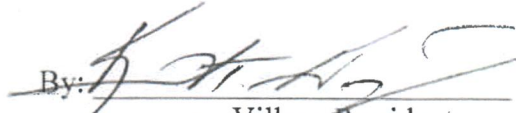


IN WITNESS WHEREOF, Lombard and Glen Ellyn have caused these presents to executed and delivered on the date first above written.

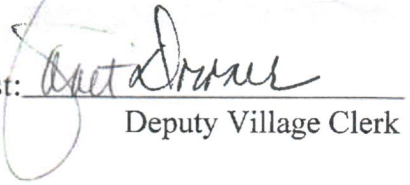
VILLAGE OF GLEN ELLYN

VILLAGE OF LOMBARD

By:   
Village President

By:   
Village President

Attest:   
Village Clerk

Attest:   
Deputy Village Clerk

Date: April 9, 2018

Date: April 5, 2018



**For Recording Purposes at DuPage County, below is the legal description of**

**PIN 05-12-202-032, located at 889 W. St. Charles Road, Lombard**

ALL THAT PART OF LOT 17 LYING SOUTH OF THE CENTERLINE OF ST. CHARLES ROAD IN ASSESSMENT DIVISION OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 12 AS ALSO DEPICTED ON PLAT OF SURVEY RECORDED AS DOCUMENT NUMBER 4578; THENCE SOUTH ALONG THE WEST LINE OF SAID NORTHEAST 1/4, 196.8 FEET TO THE CENTERLINE OF ST. CHARLES ROAD FOR A POINT OF BEGINNING (P.O.B. NO.1); THENCE CONTINUING SOUTH ALONG SAID WEST LINE, 1027.7 FEET; THENCE SOUTH 63 DEGREES 30 MINUTES EAST, 916.08 FEET; THENCE NORTH 36 DEGREES EAST, 429 FEET; THENCE NORTH 87 DEGREES 45 MINUTES EAST, 297 FEET; THENCE SOUTH 41 DEGREES 58 MINUTES EAST, 540.9 FEET; THENCE NORTH 13 DEGREES 26 MINUTES EAST, 1399.0 FEET TO THE CENTERLINE OF ST. CHARLES ROAD; THENCE NORTH 67 DEGREES 31 MINUTES WEST ALONG SAID CENTERLINE, 809.25 FEET; THENCE CONTINUING ALONG SAID CENTERLINE SOUTH 86 DEGREES 51 MINUTES WEST, 494.8 FEET; THENCE SOUTH 78 DEGREES 40 MINUTES WEST, 830.0 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THOSE PARTS CONVEYED TO THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY BY DOCUMENT RECORDED AUGUST 19, 2005 AS DOCUMENT R2005-180812, IDENTIFIED ON SAID DOCUMENT AND PLAT OF SURVEY PREPARED FOR THE FOREST PRESERVE DISTRICT OF DUPAGE COUNTY (JOB NO. 353-100, BY MIDWEST TECHNICAL CONSULTANTS, INC., WITH A REVISION DATE OF 1/24/05) AS PARCEL NUMBERS NS-02-089.3, NS-02-089.6, NS-02-089.8, NS-02-089.9, NS-02-089.10 AND NS-02-089.10P, THE EXTERIOR COMBINED BOUNDARY OF SAID PARCELS (BEING REFERRED TO HEREIN AS EXCEPTION PARCEL 1) BEING MORE PARTICULARLY DESCRIBED BY COMMENCING AT THE NORTHWEST CORNER OF LOT 19 IN E.W. ZANDER AND COMPANY'S ADDITION TO LOMBARD AS RECORDED JULY 20, 1906 PER DOCUMENT 88217; THENCE SOUTH 13 DEGREES 27 MINUTES 44 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 19, 17.23 FEET TO A POINT WHICH IS 50.00 FEET SOUTHERLY OF (AS MEASURED AT RIGHT ANGLES THERETO) THE CENTERLINE OF ST. CHARLES ROAD AS DEDICATED PER DOCUMENT 391446, RECORDED JULY 18, 1938 FOR A POINT OF BEGINNING (P.O.B. NO. 2); THENCE CONTINUING ALONG A PROLONGATION OF THE LAST DESCRIBED COURSE, 875.23 FEET; THENCE NORTH 25 DEGREES 44 MINUTES 47 SECONDS WEST, 539.73 FEET; THENCE NORTH 23 DEGREES 50 MINUTES 44 SECONDS WEST, 200.00 FEET; THENCE NORTH 19 DEGREES 27 MINUTES 59 SECONDS WEST, 260.75 FEET; THENCE 15 DEGREES 09 MINUTES 44 SECONDS WEST, 127.20 FEET; THENCE NORTH 78 DEGREES 36 MINUTES 42 SECONDS WEST, 419.69 FEET; THENCE NORTH 88 DEGREES 21 MINUTES 09 SECONDS WEST, 193.89 FEET TO A POINT ON THE AFORESAID SOUTH LINE OF ST. CHARLES ROAD AS DEDICATED PER DOCUMENT 391446; THENCE ALONG SAID SOUTH LINE OF ST. CHARLES ROAD, BEING THE ARC OF A CURVE TO THE RIGHT, BEING CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 1,635.42 FEET, WHOSE CHORD BEARS SOUTH 82 DEGREES 32 MINUTES 24 SECONDS EAST A CHORD



DISTANCE OF 864.25 FEET, FOR AN ARC DISTANCE OF 874.64 FEET; THENCE CONTINUING SOUTH 67 DEGREES 13 MINUTES 09 SECONDS EAST ALONG SAID SOUTH LINE OF ST. CHARLES ROAD, 420.33 FEET TO THE PLACE OF BEGINNING (P.O.B. NO. 2); AND ALSO EXCEPTING FROM THE AFORESAID PART OF LOT 17 LYING SOUTH OF THE CENTERLINE OF ST. CHARLES ROAD, THAT PART OF ST. CHARLES ROAD LYING NORTH OF AND ABUTTING THE HEREIN DESCRIBED EXCEPTION PARCEL 1, AND THAT PART OF ST. CHARLES ROAD AS DEDICATED PER DOCUMENT R1938-391446, ALL IN DUPAGE COUNTY, ILLINOIS.

4.2.13

180134