

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) _____

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: May 6, 2008 (B of T) Date: May 15, 2008

TITLE: 1 E. St. Charles Road

SUBMITTED BY: Department of Community Development *John*

BACKGROUND/POLICY IMPLICATIONS:

Please find attached a resolution authorizing signature of President and Clerk on a Temporary Construction Easement for the purpose of constructing an 8' high decorative privacy wall. (DISTRICT #1)

Staff recommends approval of this request.

Please place this item on the May 15, 2008 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X

Finance Director X

Village Manager X

Date

Date

Date

5/7/08

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 *deh*

DATE: May 15, 2008

SUBJECT: 1 E. St. Charles Road Temporary Construction Easement

BACKGROUND

As detailed in the Downtown Lombard Community Vision document (approved by the Village Board on February 15, 2008), staff has secured a temporary construction easement to allow the Village to construct an eight-foot high decorative wall on the property at 1 E. St. Charles Road. This wall, which will mimic the design of the seat walls found throughout the downtown, will screen the railroad embankment immediately west of the Dunkin Donuts tenant space and give a much more attractive appearance to this highly prominent location.

Please note that although there is only one property owner signature on the easement agreement, the property owner confirmed that the corporation is set up to allow either the President or Secretary to sign on behalf of MAJR, Inc.

RECOMMENDATION

Staff recommends that the Village Board authorize the Village President and Village Clerk to sign the attached agreement.

RESOLUTION
R _____
08

**A RESOLUTION AUTHORIZING SIGNATURE
OF PRESIDENT AND CLERK ON A TEMPORARY
CONSTRUCTION EASEMENT FOR THE PROPERTY LOCATED AT
1 E. ST. CHARLES ROAD, LOMBARD, IL**

WHEREAS, the Corporate Authorities of the Village of Lombard has received a Temporary Construction Easement from MAJR, Inc., an Illinois corporation, for the purpose of the Village constructing a decorative privacy wall on the property at 1 E. St. Charles Road, Lombard, IL (P.L.N. 06-01-108-010) 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 approve this Temporary Construction 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 Temporary Construction Easement as attached hereto.

Section 2: That the Village Clerk be and hereby is authorized to attest said Temporary Construction Easement as attached hereto.

Adopted this _____ day of _____, 2008.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2008.

William J. Mueller
Village President

Attest:

Briette O'Brien
Village Clerk

TEMPORARY CONSTRUCTION EASEMENT

WHEREAS, the Village of Lombard (hereinafter the "VILLAGE") has agreed to construct an eight (8)-foot tall decorative privacy wall (hereinafter the "Wall") along the southern boundary of the property commonly known as 1 East St. Charles Road (P.I.N. 06-01-108-010) (hereinafter the "Subject Property"); and

WHEREAS, the owner of the Subject Property (hereinafter the "Owner") desires that the VILLAGE construct said Wall and thereafter convey title to said wall to the Owner; and

WHEREAS, the VILLAGE needs a temporary easement over the South ten (10) feet of the Subject Property for the purpose of constructing the Wall; and

WHEREAS, the VILLAGE has agreed to construct the Wall at no cost to the Owner; and

WHEREAS, the Village has agreed to restore the Subject Property to its pre-construction condition after the construction of the Wall.

NOW, THEREFORE, MAJR, Inc., as Owner of the Subject Property, hereby grants a temporary easement to the VILLAGE to facilitate construction of the Wall on the Subject Property, with title to said Wall, upon completion thereof, to be transferred to MAJR, Inc., by the VILLAGE, pursuant to a Bill of Sale, and MAJR, Inc. being thereafter solely responsible for the maintenance and repair of said wall, as owner thereof. (This temporary easement shall expire one (1) year from the latest date set forth below, or upon completion of the Wall and transfer of title thereto to the Owner, MAJR, Inc. pursuant to a Bill of Sale, whichever occurs first.

VILLAGE OF LOMBARD

By: _____
Village President

ATTEST:

Village Clerk
DATED: _____

ATTEST:

Signature

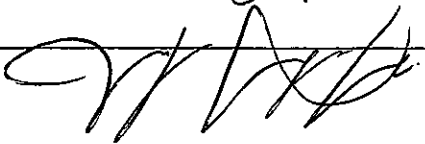
Print Name

Title

DATED: _____

OWNER:

By:



Print Name

MICHAEL SCARDINO

Title

President

