



**FRED BUCHOLZ**  
DUPAGE COUNTY RECORDER  
MAR. 17, 2011 1:21 PM  
PLAT 06-18-416-033  
009 PAGES R2011-037284

**RESOLUTION 72-11**

**AMENDING RESOLUTION 31-07, ADOPTED AUGUST 16,  
2006, AUTHORIZING THE TRANSFER OF TITLE TO  
SURPLUS REAL ESTATE PURSUANT TO 65 ILCS 5/11-76-4.1**

**PIN: 06-18-416-033**

**Address: 240-246 W. Ann Street, Lombard IL 60148**

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

**A RESOLUTION AMENDING RESOLUTION 31-07, ADOPTED AUGUST 16, 2006,**  
**AUTHORIZING THE TRANSFER OF TITLE TO SURPLUS REAL ESTATE**  
**PURSUANT TO 65 ILCS 5/11-76-4.1**  
**(246 W. Ann Street)**

WHEREAS, on August 16, 2006, the Village Board adopted Resolution 31-07, authorizing the transfer of title of the real estate, legally described as follows:

Lot 17 in Block 6 of Roosevelt Crest, being a subdivision of part of the West ½ of the Southeast ¼ of Section 18, Township 39 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois;

P.I.N.: 06-18-416-017;

Common Address: 246 West Ann Street, Lombard, Illinois 60148;

(hereinafter the "Subject Property") to W. Mark Neil and Laura Neil, owners of property at 240 West Ann Street, Lombard, Illinois, immediately east of and adjacent to the Subject Property (hereinafter, respectively, the "Adjacent Lot Owners" and the "Adjacent Lot"); and

WHEREAS, a copy of Resolution 31-07 is attached hereto as Exhibit "1" and made part hereof; and

WHEREAS, as a provision of the transfer of title to the Subject Property, Section 2 of Resolution 31-07 required, among other things, that the Adjacent Lot Owners consolidate the Subject Property with the Adjacent Lot Owner's lot; and

WHEREAS, Section 2 of Resolution 31-07 also required an easement be granted to the Village over the entirety of the Subject Property, to preclude any permanent structures from being placed upon the Subject Property; and

WHEREAS, the Adjacent Lot Owners have complied with foregoing provisions through the recording of a public utilities and drainage easement, and the recording of a consolidation plat, entitled "Lombard 246 West Ann Resubdivision", consolidating the property legally described as follows:

Lot 1 in Lombard 246 West Ann Resubdivision of Lots 17 and 18 in Block 6 of Roosevelt Crest, being a subdivision of part of the West ½ of the Southeast ¼ of Section 18, Township 39 North, Range 11 East of the Third Principal Meridian, according to the plat recorded on December 16, 2009 as R2009-187415, in DuPage County, Illinois;

P.I.N.: 06-18-416-033;

Common Address: 240-246 West Ann Street, Lombard, Illinois 60148; (hereinafter "the Consolidated Parcels"); and

WHEREAS, prior to the transfer of the Subject Property, the Village commissioned an M.A.I. independent appraiser, who stated that the Subject Property would have no value, based upon the encumbrances required by the Village; and

WHEREAS, subsequent to processing of the title transfer relative to the Subject Property, and the recording of the consolidation plat, the Adjacent Property Owners were served by York Township with a Notice of General Reassessment for the Consolidated Parcels, with said reassessment establishing a significantly higher assessment than what was contemplated by the Village and the Adjacent Property Owners at the time the original Resolution was established; and

WHEREAS, in order for the Subject Property portion of the Consolidated Parcels to be assessed at a nominal valuation, the Adjacent Property Owners are seeking an amendment to the Resolution that would allow for the Consolidated Parcels to be divided through a tax assessment division plat (a copy of which is attached as Exhibit "A" and made part hereof); and

WHEREAS, the Village finds that the recording of the assessment division plat will not be inconsistent with the intent of Resolution 31-07, provided that the Adjacent Property Owners consent and agree to keep the Consolidated Parcels under the same legal ownership;

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

**SECTION 1:** That Resolution 31-07, adopted August 16, 2006, is hereby amended by adding a new Section 5 thereto, which shall read in its entirety as follows:

5. That the Village hereby authorizes the recording of the assessment plat attached hereto as Exhibit "A" and made part hereof, provided the Adjacent Lot Owners, and any subsequent owners, cannot sell the Adjacent Lot without the sale of Subject Property to the same person or entity, so that the Consolidated Parcels remain at all times owned in their entirety by the same owner of record.

**SECTION 2:** That Resolution 31-07, adopted August 16, 2006, is hereby amended by adding an Exhibit "A" thereto, which shall be in the same format as Exhibit 2 attached hereto and made part hereof.

**SECTION 3:** That W. Mark Neil and Laura Neil, being the owners of record of the property identified herein as the Consolidated Parcels, hereby voluntarily consent to the conveyance condition set forth in Section 1 above, and hereby agree that, in consideration of the Village's adoption of this Resolution, said conveyance condition set forth in Section 1 above shall be a covenant running with

the land, with respect to the Consolidated Parcels, binding upon any successors in interest to us, and that this Resolution shall be recorded with the DuPage County Recorder's Office to memorialize said covenant running with the land.

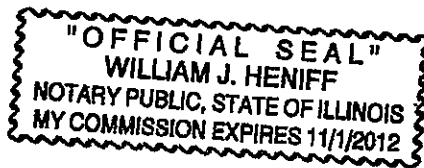
*W. Mark Neil*

W. Mark Neil

*Laura Neil*

Laura Neil

Subscribed and Sworn to  
before me this 27th day  
of January, 2011.



*William J. Heniff*  
Notary Public

**SECTION 4:** The Village Clerk is authorized and directed to record this Resolution with the DuPage County Recorder's Office.

**SECTION 5:** That a copy of this Resolution shall be published, upon its adoption and approval, in the *Lombardian*, pursuant to 65 ILC 5/11-76-4.1.

**ADOPTED** this 3rd day of February, 2011, pursuant to a two-thirds (2/3rds) roll call vote of the Corporate Authorities, as required by 65 ILCS 5/11-76-4.1 as follows:

Ayes: Trustees Gron, Giagnorio, Wilson, Moreau, Fitzpatrick and Ware

Nays: None

Absent: None

Approved by me this 3rd day of February, 2011.

By:

*William J. Mueller*  
William J. Mueller  
Village President

**ATTEST:**

*Brigitte O'Brien*  
Brigitte O'Brien  
Village Clerk

RESOLUTION NO. 31-07

**A RESOLUTION AUTHORIZING THE TRANSFER OF  
TITLE TO SURPLUS REAL ESTATE PURSUANT TO 65 ILCS 5/11-76-4.1  
(246 West Ann Street)**

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WHEREAS, the Village is the owner of the following described fifty-one (51) foot by one hundred fifty (150) foot vacant parcel of real estate, currently zoned R-2 Single-Family Residential District, through which the Village has constructed a stormwater sewer:

Lot 17 in Block 6 Roosevelt Crest, being a subdivision of part of the West 1/2 of the Southeast 1/4 of Section 18, Township 39 North, Range 11, East of the Third Principal Meridian, DuPage County, Illinois;

P.I.N.: 06-18-416-017;

Common Address: 246 West Ann Street, Lombard, Illinois 60148;

(hereinafter the "Subject Property"); and

WHEREAS, the Subject Property will, pursuant to a plat of consolidation to be recorded upon adoption of this Resolution and the completion of the conveyance contemplated hereby, be subject, in its entirety, to public utility and drainage easements (hereinafter the "Easement Encumbrance"); and

WHEREAS, as a result of said Easement Encumbrance, the Subject Property cannot be developed as a buildable single-family residential lot, as no permanent buildings or structures can be constructed thereon; and

WHEREAS, pursuant to 65 ILCS 5/11-76-4.1, the Village has had the Subject Property appraised by a State certified and licensed MAI real estate appraiser, a copy of the written certified appraisal performed by Associated Property Counselors, Ltd., dated April 4, 2006, being on file with the Village Clerk's office, and subject to public inspection, and incorporated herein by reference (hereinafter the "Appraisal"); and



WHEREAS, in light of the Easement Encumbrance, said Appraisal has determined that the value of the Subject Property is \$0.00; and

WHEREAS, W. Mark Neil and Laura Neil are owners of the property immediately East of, and adjacent to, the Subject Property (hereinafter the "Adjacent Lot Owners"); and

WHEREAS, the Adjacent Lot Owners have indicated that they would be willing to accept title to the Subject Property, even with the Subject Property being subject to the Easement Encumbrance; and

WHEREAS, if the Adjacent Lot Owners accept title to the Subject Property, it will relieve the Village of maintenance obligations relative to the Subject Property and will place the Subject Property back on the real estate tax rolls; and

WHEREAS, it is in the best interests of the Village to transfer title to the Subject Property to the Adjacent Lot Owners;

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

1. That the transfer of title to the Subject Property to the Adjacent Lot Owners is hereby approved, subject to Item 2 below;
2. That Village Staff is hereby directed to prepare the necessary documents to transfer title, and to thereafter transfer title, to the Subject Property to the Adjacent Lot Owners, pursuant to a quit claim deed, at a purchase price of \$0.00, subject to the plat of consolidation incorporating the Subject Property into the property currently owned by the Adjacent Lot Owners memorializing the Easement Encumbrance;
3. That the Village President and the Village Clerk are hereby authorized and directed to execute any and all necessary documents to complete the transaction contemplated by Item 2 above; and

4. That a copy of this Resolution shall be published, upon its adoption and approval in the *Lombard Spectator*, pursuant to 65 ILCS 5/11-76-4.1.

**ADOPTED** this 17th day of August, 2006, pursuant to a two-thirds (2/3rds) roll call vote of the Corporate Authorities, as required by 65 ILCS 5/11-76-4.1, as follows:

**AYES:** President Mueller, Trustees Gron, Tross, O'Brien, Florey & Soderstrom

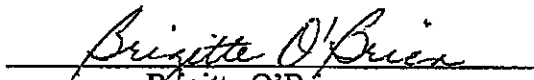
**NAYS:** None

**ABSENT:** Trustee Sebby

**APPROVED** by me this 17th day of August, 2006.

  
\_\_\_\_\_  
William J. Mueller  
Village President

**ATTEST:**

  
\_\_\_\_\_  
Brigitte O'Brien  
Village Clerk

173261-49/157

# 240 WEST ANN ASSESSMENT PLAT

P. I. N.: 06-18-416-033

LEGAL DESCRIPTIONS OF PARCELS 1 AND 2

PARCEL 1

THE WEST 51.0 FEET (AS MEASURED ON THE NORTH AND SOUTH LINES THEREOF) OF LOT 1 IN TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 16, 2009 AS DOCUMENT NO. R22009-187415, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2

LOT 1 IN LOMBARD 246 WEST ANN RESUBDIVISION EXCEPTING THEREFROM THE WEST 51.0 FEET (AS MEASURED ON THE NORTH AND SOUTH LINES THEREOF) IN PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 16, 2009 AS DOCUMENT NO. R22009-187415, IN DUPAGE COUNTY, ILLINOIS.

STATE OF ILLINOIS ) S.S.  
COUNTY OF DUPAGE )

I, \_\_\_\_\_ COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT TAXES, NO UNPAID CURRENT TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE PARCELS AND INCLUDED IN THE ANNEXED PLAT. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE ANNEXED PLAT.

GIVEN UNDER MY NAME AND SEAL OF THE COUNTY CLERK AT WHEATON, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

DUPAGE COUNTY CLERK

STATE OF ILLINOIS ) S.S.  
COUNTY OF DUPAGE )

THIS INSTRUMENT NUMBER \_\_\_\_\_ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS, ADDRESS, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_ AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.

DUPAGE COUNTY RECORDER OF DEEDS

STATE OF ILLINOIS ) S.S.  
COUNTY OF DUPAGE )

THIS IS TO CERTIFY THAT I, JOSEPH F. GENTILE, ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER 2925, HAVE SURVEYED AND PLATTED FOR THE PURPOSE OF A TAX PARCEL DIVISION, THE FOLLOWING DESCRIBED PROPERTY:

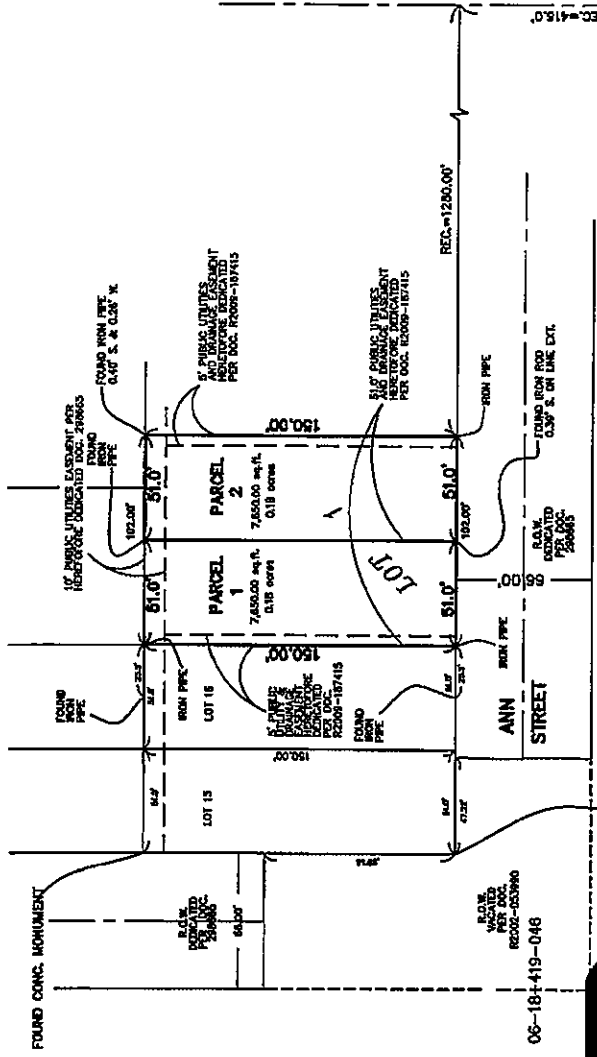
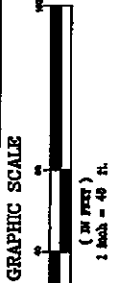
LOT 1 IN LOMBARD 246 WEST ANN RESUBDIVISION IN PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 16, 2009 AS DOCUMENT NO. R22009-187415, IN DUPAGE COUNTY, ILLINOIS.

CONTAINING: 15,289.99 sq.ft. (0.35 acres)

ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF. THAT THE PLAT HEREON IS A TRUE AND CORRECT COPY OF THE ORIGINAL WHICH HAS ADOPTED A COMPREHENSIVE PLAN AND WAS MADE BY ME OR BY AN EXPRESSLY AUTHORIZED BY ME SURVEYOR UNDER THE PROVISIONS OF THE ILLINOIS SURVEYOR ACT AS AMENDED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS ANTI-CORRUPTION CODE AS AMENDED. I FURTHER CERTIFY THAT THE PARCELS INCLUDED IN THIS RECORD OF DEED ARE NOT LOCATED IN THE SPECIAL HAZARD AREA IDENTIFIED FOR DUPAGE COUNTY, ILLINOIS AND INCORPORATED AREAS, DUPAGE COUNTY, ILLINOIS BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, PANEL NUMBER 1704300804H, EFFECTIVE DATE DECEMBER 16, 2004.

GIVEN UNDER MY HAND AND SEAL THIS 17TH DAY OF JANUARY, A.D. 2010.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2925  
MY LICENSE EXPIRES ON NOVEMBER 30, 2012



\* NOTE: NO PERMANENT STRUCTURES ARE TO BE ERRECTED ON PARCEL 1

P. I. N.: 06-18-416-033  
STATE OF ILLINOIS ) S.S.  
COUNTY OF DUPAGE )

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS/ARE THE OWNER(S) OF THE LAND DESCRIBED IN THE HEREON DRAWN PLAT AND HAS(HAVE) CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN BY THE PLAT FOR USES AND PURPOSES AS INDICATED THEREIN, AND DOES(DO) HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

DATED AT \_\_\_\_\_ ILLINOIS THIS \_\_\_\_\_ OF \_\_\_\_\_ 20\_\_\_\_

OWNER \_\_\_\_\_

STATE OF ILLINOIS ) S.S.  
COUNTY OF \_\_\_\_\_ )

I, \_\_\_\_\_ A NOTARY PUBLIC IN AND FOR SAID COUNTY DO HEREBY

CERTIFY THAT \_\_\_\_\_ IS/ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE FOREGOING CERTIFICATE AS SUCH OWNER(S), APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/SHE/IT/HEY SIGNED AND DELIVERED THE SAID INSTRUMENT AT HIS/HER/THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

NOTARY PUBLIC \_\_\_\_\_

COMMISSION EXPIRES \_\_\_\_\_

NO.	DATE	DESCRIPTION	BY

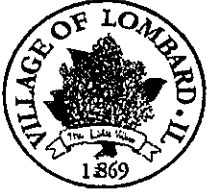
**GENTILE & ASSOCIATES, INC.**  
 PROFESSIONAL LAND SURVEYORS  
 1015 S. CHICAGO PLAZA  
 CHICAGO, ILLINOIS 60607  
 PHONE (312) 816-6342  
 FAX (312) 816-6344  
 PREPARED BY: MMJ/AJT

PREPARED FOR: VILLAGE OF LOMBARD  
 ORDER NO. 06-18101-10-ASSESS.



Also Exhibit "A"





I, **Denise R. Kalke**, 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

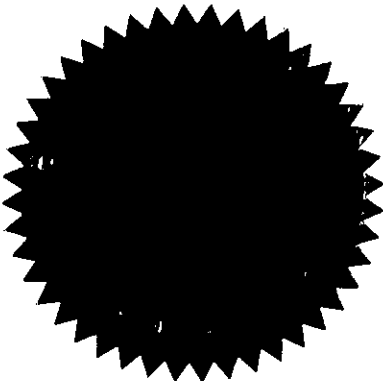
RESOLUTION 72-11  
AMENDING RESOLUTION 31-07,  
ADOPTED AUGUST 16, 2006, AUTHORIZING THE  
TRANSFER OF TITLE TO SURPLUS REAL ESTATE  
PURSUANT TO 65 ILCS 5/11-76-4.1

PIN: 06-18-416-033

Address: 240-246 W. Ann Street, Lombard IL 60148

of the said Village as it appears from the official records of said Village duly approved this 3<sup>rd</sup> day of February, 2011.

**In Witness Whereof**, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 7th day of February, 2011.



Denise R. Kalke  
Deputy Village Clerk  
Village of Lombard  
DuPage County, Illinois