

CD

ORDINANCE NO. 5740

**AN ORDINANCE GRANTING
AN AMENDMENT TO ORDINANCE 4992 GRANTING A TIME EXTENSION
FOR REIMBURSEMENT OF IMPROVEMENTS**

WHEREAS, on July 19, 2001, the President and Board of Trustees of the Village of Lombard adopted Ordinance 4992 approving the vacation of a portion of Grace Street right of way; and,

WHEREAS, in consideration of the vacation of the right of way in its entirety by the Village to the property owner of Lot 1 in Grace-Roosevelt Assessment Plat (hereinafter the "Carsons Property"), the Carsons Property owner agreed to provide the Village with monetary and non-monetary compensation for the right of way, as set forth in Ordinance 4992; and

WHEREAS, the Carsons property owner satisfied the compensation and development provisions set forth in Ordinance 4992 and received a certificate of occupancy on February 24, 2004; and

WHEREAS, Section 6 of Ordinance 4992 also set forth provisions for the Village to reimburse the property owner for any improvements made along the Roosevelt Road right-of-way, and as approved by the Village, within two years from the adoption of the Ordinance; and

WHEREAS, the Village has received a request from the Carsons Property owner for reimbursement of said improvements in the Roosevelt Road right of way; and

WHEREAS, in order for final payment to be made to the Carsons Property owner for said improvements, the owner is requesting an amendment to the time limitation from two years two 52 months.

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village of Lombard to grant said extension.

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

SECTION 1: That Section 6 of Ordinance 4992, is hereby amended to allow for reimbursement period for Roosevelt Road right of way improvements from two years to fifty-two (52) months from the date of approval of Ordinance 4992.

SECTION 2: That all other provisions associated with Ordinance 4992 not amended by this Ordinance shall remain in full force and effect.

SECTION 3: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Passed on first reading this _____ day of _____, 2005.

First reading waived by action of the Board of Trustees this 6th day of October, 2005.


Passed on second reading this 6th day of October, 2005.

Ayes: Trustees Gron, Tross, O'Brien, Sebby and Florey


Nayes: None

Absent: Trustee Soderstrom

Approved this 6th day of October, 2005.


William J. Mueller
Village President

ATTEST:


Brigitte O'Brien
Village Clerk