

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: Scott Niehaus, Village Manager

DATE : April 9, 2018 **(BOT) Date:** April 19, 2018

SUBJECT: Plat of Abrogation – Finley Park (420 and 440 S. Finley Road)

SUBMITTED BY: William J. Heniff, AICP, Director of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

Please find attached staff's recommendation relative to approving a Plat of Abrogation. This Plat is companion to the final subdivision plat of SUB 18-02. A sanitary sewer easement needs to be abrogated in order for the developer to proceed with the construction of the Finley Park single-family subdivision.

The DuPage County Health Department is the current property owner and Oak Creek Capital LLC is under contract. The plat, should it be signed by the Village, will not be recorded under after Oak Creek Capital LLC takes ownership of the property.

Please place this plat on the April 19, 2018 Board of Trustees under items for separate action for authorization of signatures from the Village President and Village Clerk, as the abrogation requires a 3/4ths vote of the Corporate Authorities (6 of 7) to approve the plat.

Fiscal Impact/Funding Source:

Review (as necessary):


Finance Director _____ Date _____
Village Manager _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development 

MEETING DATE: April 19, 2018

SUBJECT: **Plat of Abrogation – Finley Park**

Please find the following Plat of Abrogation for Village Board consideration as part of the April 19, 2018 Board meeting. This Plat is companion to the final subdivision plat of SUB 18-02. A sanitary sewer easement needs to be abrogated in order for the developer to build previously approved single-family homes.

The DuPage County Health Department is the current property owner and Oak Creek Capital LLC is under contract. The plat, should it be signed by the Village, will not be recorded under after Oak Creek Capital LLC takes ownership of the property.

Please place this plat on the April 19, 2018 Board of Trustees under items for separate action for authorization of signatures from the Village President and Village Clerk, as the abrogation requires a 3/4ths vote of the Corporate Authorities (6 of 7) to approve the plat.

ORDINANCE NO. _____

**AN ORDINANCE ABROGATING AN EASEMENT FOR SANITARY SEWER
LOCATED AT 420 and 440 S. Finley Road (Finley Park)**

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

SECTION 1: That the President and Board of Trustees of the Village of Lombard (hereinafter the "Village") find as follows:

- A. The Village is the owners of an easement for a sanitary sewer (hereinafter the "Easement"), pursuant to a Plat of Resubdivision, as legally described as follows:

Being a part of southwest quarter in section 7, township 39 north, range 11 east of the third principal meridian, in DuPage County, Illinois.

P.I.N.: 06-07-303-005 and 06-07-303-027

Common Address: 420 and 440 S. Finley Road,
Lombard, Illinois 60148;

- B. The property owner, Oak Creek Capital Partners, LLC, has requested that the Village abrogate the aforementioned Easement, as depicted in the Plat of Easement Abrogation, attached hereto as Exhibit A, and made part hereof.
- C. The Village finds that the aforementioned Easement is no longer needed by the Village.

SECTION 2: It is hereby determined that the public interest will be subserved by abrogating the Easement, as shown on the Plat of Easement Abrogation attached hereto as Exhibit A, and, therefore, the Easement is hereby abrogated, and the Plat of Easement Abrogation is hereby approved.

SECTION 3: That this Ordinance shall be in full force and effect from and after its passage by a three-fourths (3/4ths) vote of the Corporate Authorities holding office, and approval, as required by law.

Passed on first reading this ____ day of _____, 2018.

First reading waived by action of the Board of Trustees this ____ day of _____, 2018.

Passed on second reading this ____ day of _____, 2018, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this ____ day of _____, 2018.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Exhibit A

Plat of Easement Abrogation

(attached)