

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X 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: September 28, 2005 (BOT) Date: October 6, 2005

TITLE: Dedication of Wilson Avenue

SUBMITTED BY: Department of Community Development *WTL*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration a resolution accepting the Wilson Avenue right-of-way dedication plat. (DISTRICT #2)

Staff recommends approval of this request.

Please place this item on the October 6, 2005 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X *W.T. Lichter* _____ Date 9/29/05

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, Director of Community Development *DH*

DATE: October 6, 2005

SUBJECT: Dedication of Wilson Avenue

At the September 15, 2005 Village Board meeting, the Village approved a first reading of annexation ordinances associated with the PC 05-20, BOT 05-06, BOT 05-08 and BOT 05-09 petitions.

Attached is a resolution approving a plat of dedication for the Wilson Avenue right-of-way. The dedication plat includes the proposed alignment for the new Wilson Avenue right of way as well as a temporary easement for roadway purposes for the existing roadway. The plat also sets forth provisions that will abrogate the temporary easement to the adjacent property owners once the new roadway is constructed. The plat also includes the provisions for parkway improvements adjacent to the 1000 South Finley Road property.

RECOMMENDATION

Staff recommends that the Village Board approve the attached resolution accepting the Wilson Avenue right of way dedication.

RESOLUTION
R _____ 06

**A RESOLUTION ACCEPTING A CERTAIN
PLAT OF DEDICATION (WILSON AVENUE)**

WHEREAS, the Corporate Authorities of the Village of Lombard have received a plat of dedication for public right of way purposes for the following properties:

<u>Name</u>	<u>PIN</u>	<u>Address</u>	<u>Frontage</u>
Lombard Park District	06-18-106-003	995 S. Columbine (Rt. 53)	606.09 feet
Martin & Ahlai Wojcik	06-18-302-023	1000 S. Finley Road	173.70 feet
Mohammad & Fareeda Majeed	06-18-320-022	509 W. Wilson Avenue	101.11 feet
Mared & Renatta Niedbalec	06-18-320-021	515 W. Wilson Avenue	126.56 feet
Manuel & Reinalda Loeza	06-18-320-020	1001 Highmoor Road	102.37 feet
Steven & Sheila Lukaszewski	06-18-301-021	1000 Highmoor Road	80.57 feet

WHEREAS, said dedication consists of 36,633.68 square feet (0.84 acres) in area; and

WHEREAS, this plat of dedication is needed to re-establish Wilson Avenue as a public right-of-way; and

WHEREAS, the adjacent owners have signed the plat of dedication; and

WHEREAS, the Corporate Authorities deem it to be in the best interest of the Village of Lombard to approve and accept this plat of dedication.

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 the plat of dedication attached hereto as Exhibit A is hereby approved and accepted on behalf of the Village of Lombard.

SECTION 2: That the Village President be and hereby is authorized to sign said plat of dedication on behalf of the Village of Lombard.

SECTION 3: That the Director of Community Development is hereby directed to file and record a certified copy of this resolution along with the original plat of dedication with the DuPage County Clerk and Recorder.

Re: Resolution No. _____
Wilson Avenue Plat of Dedication
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Adopted this _____ day of _____, 2005 pursuant to a roll call vote as follows:

Ayes: _____

Nayes: _____

Absent: _____

Approved by me this _____ day of _____, 2005.

William J. Mueller
Village President

ATTEST:

Brigitte O'Brien
Village Clerk

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LEGAL DESCRIPTION OF TEMPORARY ROADWAY EASEMENT

THAT PART OF THE WEST HALF OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 1 IN BLOCK 1 IN FLOWERFIELD ACRES, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 39 NORTH, RANGE 10, AND PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 9, 1946 AS DOCUMENT 501719, AND CERTIFICATES OF CORRECTION FILED JULY 25, 1946 AS DOCUMENT 502990, AND MARCH 20, 1947 AS DOCUMENT 514615, AND RUNNING THENCE NORTH 17 DEGREES 10 MINUTES 32 SECONDS WEST ALONG THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 1 (ALSO BEING THE WESTERLY RIGHT OF WAY LINE OF FINLEY ROAD) A DISTANCE OF 11.55 FEET; THENCE NORTH 85 DEGREES 55 MINUTES 06 SECONDS WEST, 98.81 FEET; THENCE SOUTH 87 DEGREES 37 MINUTES 46 SECONDS WEST 74.89 FEET; THENCE SOUTH 88 DEGREES 00 MINUTES 43 SECONDS WEST, 77.11 FEET; THENCE SOUTH 84 DEGREES 09 MINUTES 26 SECONDS WEST, 150.56 FEET; THENCE SOUTH 84 DEGREES 26 MINUTES 13 SECONDS WEST, 102.37 FEET TO THE NORTHWEST CORNER LOT 17 IN BLOCK 1 IN FLOWERFIELD ACRES AFORESAID; THENCE EAST ALONG THE SOUTHERLY LINE OF VACATED WILSON AVENUE (PER DOCUMENT 501719 AFORESAID) A DISTANCE OF 505.53 FEET TO THE POINT OF BEGINNING, ALL IN DU PAGE COUNTY, ILLINOIS.

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TEMPORARY ROADWAY EASEMENT PROVISIONS

A TEMPORARY ROADWAY EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, AND ITS SUCCESSORS AND ASSIGNS TO ALLOW FOR THE TRAVEL OF PUBLIC AND PRIVATE VEHICLES IN, OVER, UPON, ACROSS, UNDER, AND THROUGH THOSE AREAS DEPICTED ON THE PLAT AS "TEMPORARY EASEMENT FOR ROADWAY PURPOSE". SAID TEMPORARY ROADWAY EASEMENT SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL SUCH TIME THAT WILSON AVENUE IS FULLY CONSTRUCTED WITHIN THE DEDICATED RIGHT OF WAY. AT SUCH TIME THAT THE VILLAGE, IN ITS SOLE DISCRETION, DETERMINES THAT SAID TEMPORARY ROADWAY EASEMENT IS NO LONGER NECESSARY, THE VILLAGE HEREBY AGREES TO ABROGATE THE TEMPORARY ROADWAY EASEMENT.

UNTIL SUCH TIME THAT THE TEMPORARY ROADWAY EASEMENT IS ABROGATED, SAID TEMPORARY ROADWAY EASEMENT SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE PARTIES HERETO, THEIR HEIRS, EXECUTORS, SUCCESSORS, GRANTEEES, LESSEES, AND ASSIGNS.

PLAT OF DEDICATION PROVISIONS

IN CONSIDERATION OF THE DEDICATION OF LAND FOR PUBLIC RIGHT OF WAY PURPOSES AS SET FORTH ON THE PLAT OF DEDICATION ATTACHED HERETO, THE VILLAGE HEREBY AGREES TO IMPROVE THE PARKWAY AREA IMMEDIATELY ADJACENT TO LOT 1 IN BLOCK 1 OF FLOWERFIELD ACRES, (SAID PARKWAY AREA BEING LOCATED WITHIN THE DEDICATED RIGHT OF WAY) WITH NOT LESS THAN FIVE THOUSAND AND NO/100 DOLLARS (\$5000) IN PARKWAY LANDSCAPING AND/OR PARKING AREA IMPROVEMENTS (THE "PARKWAY IMPROVEMENTS"). THE PARKWAY IMPROVEMENTS SHALL BE INSTALLED BY THE VILLAGE AT SUCH TIME THAT WILSON AVENUE IS CONSTRUCTED WITHIN THE DEDICATED RIGHT OF WAY AS A PUBLIC STREET.

