

FRED BUCHOLZ

DUPAGE COUNTY RECORDER
421 NORTH COUNTY FARM ROAD
WHEATON, ILLINOIS 60187

(630)407-5400



FRED BUCHOLZ

DUPAGE COUNTY RECORDER

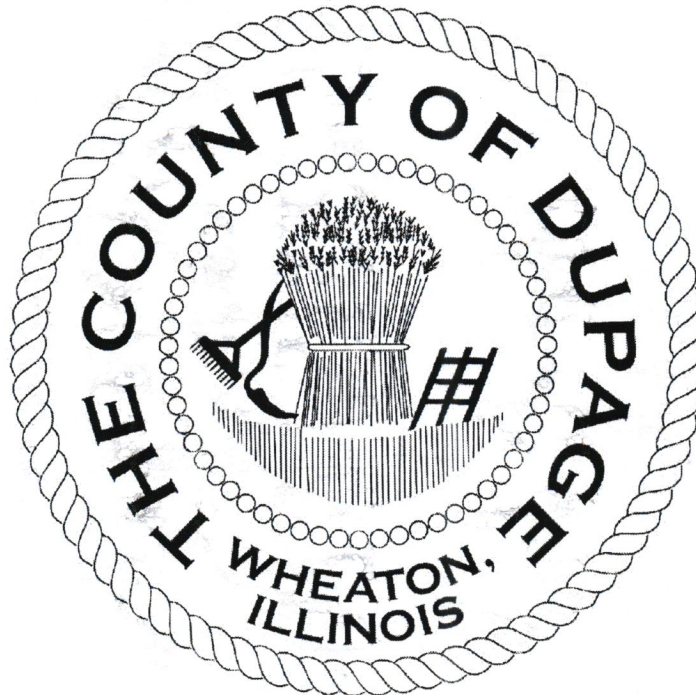
FEB. 08, 2018 9:20 AM

PLAT \$47.00 06-09-303-010

PLAT PAGE COUNT: 1

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RECORDING COVER PAGE



Mail To:

(Village of Lombard)

255 E. Wilson Avenue

Lombard, IL 60148

*Please note – This cover page has been attached to the document for recording purpose.
It is a permanent part of the document and has been included in the page count.



I, **Janet Downer**, 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 true and correct copy of

ORDINANCE NO. 7467

VACATING A PORTION OF THE FIRST ALLEY WEST
OF WESTMORE MEYERS ROAD, BETWEEN SOUTH
BROADWAY AVENUE AND DIVISION STREET
(SOUTH SEGMENT)

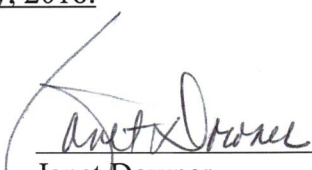
PIN: 06-09-303-010

ADDRESS: 314 S. WESTMORE MEYERS
LOMBARD IL 60148

of the said Village as it appears from the official records of said Village duly approved this
18th day of January, 2018.

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 of February, 2018.





Janet Downer
Deputy Village Clerk
Village of Lombard
DuPage County, Illinois



ORDINANCE 7467

**AN ORDINANCE VACATING A PORTION OF THE FIRST
ALLEY WEST OF WESTMORE MEYERS ROAD, BETWEEN
SOUTH BROADWAY AVENUE AND DIVISION STREET
(SOUTH SEGMENT)**

PIN(s): 06-09-303-010

ADDRESSES:

**314 S. Westmore Meyers Road.
Lombard, IL 60148**

**(Prepared by and Return To:)
Village of Lombard
255 E. Wilson Avenue
Lombard, IL 60148**

**ORDINANCE 7467
PAMPHLET**

ALLEY VACATION – 314 S. WESTMORE MEYERS ROAD



PUBLISHED IN PAMPHLET FORM THIS 19th DAY OF JANUARY 2018, BY ORDER
OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE
COUNTY, ILLINOIS.

A handwritten signature in cursive script, reading "Sharon Kuderna", is written over a horizontal line.

Sharon Kuderna
Village Clerk

ORDINANCE NO. 7467

**ORDINANCE VACATING A PORTION OF THE FIRST
ALLEY WEST OF WESTMORE MEYERS ROAD, BETWEEN
SOUTH BROADWAY AVENUE AND DIVISION STREET (SOUTH SEGMENT)**

WHEREAS, the Village of Lombard (hereinafter the "VILLAGE") maintains a public alley right-of-way, of sixteen feet (16) in width, immediately west of Westmore Meyers Road, between South Broadway Avenue and Division Street (hereinafter the "ALLEY"); and

WHEREAS, the Corporate Authorities find that the portion of the ALLEY, situated between a point 37 North of the North line of Division Street and a point 71 North of the North line of Division Street (hereinafter the "SUBJECT RIGHT-OF-WAY") is no longer needed by the Village for right-of-way purposes; and

WHEREAS, the Corporate Authorities find that the property owner to the East of the SUBJECT RIGHT-OF-WAY (hereinafter the "EAST ABUTTING OWNER") currently takes access from the SUBJECT RIGHT-OF-WAY; and

WHEREAS, the Corporate Authorities find that the property to the East of the SUBJECT RIGHT-OF-WAY is an improved commercial property, and cannot be accessed from Division Street without use of the SUBJECT RIGHT-OF-WAY; and

WHEREAS, the Corporate Authorities find that the property to the West of the SUBJECT RIGHT-OF-WAY, is currently an improved single-family residential property with access thereto from Division Street; and

WHEREAS, the Corporate Authorities have determined that the SUBJECT RIGHT-OF-WAY would primarily be for the use and benefit of the EAST ABUTTING OWNER, and would not serve the transportation needs of the VILLAGE or the access needs of the property to the west thereof; and

WHEREAS, the VILLAGE would benefit by maintaining the economic vitality of a commercial property, within the VILLAGE if the SUBJECT RIGHT-OF-WAY was vacated, with title thereto vesting solely in the EAST ABUTTING OWNER; and

WHEREAS, the owner of the property to the West of the SUBJECT RIGHT-OF-WAY does not desire to obtain title to any portion of the SUBJECT RIGHT-OF-WAY upon any vacation thereof; and

WHEREAS, the Corporate Authorities of the VILLAGE have received a Plat of Right-of-Way Vacation for the SUBJECT RIGHT-OF-WAY, a copy of which is attached hereto as "Exhibit A" and made part hereof (hereinafter the "Plat of Vacation"); and

WHEREAS, the Corporate Authorities of the VILLAGE deem it to be in the best interests of the VILLAGE to authorize that the SUBJECT RIGHT-OF-WAY be vacated, as set forth herein, subject to the retention of a public utility easement over the SUBJECT RIGHT-OF-WAY; and

WHEREAS, the EAST ABUTTING OWNER'S commitment to incorporate the SUBJECT RIGHT-OF-WAY into the commercial enterprise operated by the EAST ABUTTING OWNER to the East thereof serves as the compensation to the VILLAGE for the vacation of the SUBJECT RIGHT-OF-WAY, because of the importance to the VILLAGE of maintaining the economic vitality of the commercial sector of the VILLAGE;

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

SECTION 1: It is hereby determined that the public interest will be served by vacating the SUBJECT RIGHT-OF-WAY, as hereinafter legally described.

SECTION 2: The SUBJECT RIGHT-OF-WAY, which is legally described as follows:

THAT PART OF THE NORTH AND SOUTH ALLEY, ADJACENT TO LOT 7 IN ROBERTSON'S WESTMORE, BEING A SUBDIVISION IN PART OF THE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE THEREOF RECORDED JUNE 1ST, 1922 AS DOCUMENT NO. 156381, THE NORTH TERMINUS BEING THE NORTH LINE OF LOT 7 EXTENDED WEST TO THE EAST LINE OF LOT 23 IN ROBERTSON'S WESTMORE RESUBDIVISION OF LOTS 10 TO 27 INCLUSIVE BEING IN PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 11, RECORDED NOVEMBER 2, 1925 AS DOCUMENT NUMBER 202421. THE SOUTH TERMINUS BEING THE SOUTH LINE OF THE NORTH 4.00 FEET OF LOT 8 EXTENDED WEST TO THE EAST LINE OF LOT 23 IN THE AFORESAID ROBERTSON'S WESTMORE, ALL BEING IN DUPAGE COUNTY, ILLINOIS.

and as shown on the Plat of Vacation attached hereto as Exhibit "A" and designated "hereby vacated" be and the same hereby is vacated, subject to the retention of a public utility easement therein.

SECTION 3: The owner of the following parcel shall acquire title to the SUBJECT RIGHT-OF-WAY upon the vacation thereof:

PIN: 06-09-303-010; Common Address: 314 S Westmore Road, Lombard, IL 60148

SECTION 4: That the Department of Community Development is hereby directed to record a certified copy of this Ordinance, along with the original Plat of Vacation, with the DuPage County Recorder of Deeds.

SECTION 5: That this Ordinance shall be in full force and effect from and after its passage, by a three-fourths (3/4ths) vote of the Trustees holding office, approval and publication in pamphlet form, as provided by law.

Ordinance No. 7467

Alley Vacation - 314 S. Westmore-Meyers Rd

Page 3

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

First reading waived by action of the Board of Trustees this 18th day of January, 2018.


Passed on second reading this 18th day of January, 2018.

Ayes: Trustee Whittington, Fugiel, Foltyniewicz, Johnston, Pike and
Ware


Nays: None

Absent: None

Approved this 18th day of January, 2018.


Keith T. Giagnorio
Village President

ATTEST:


Sharon Kuderna
Village Clerk

Published by me in pamphlet form on this 19th day of January, 2018.


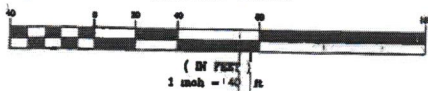

Sharon Kuderna
Village Clerk

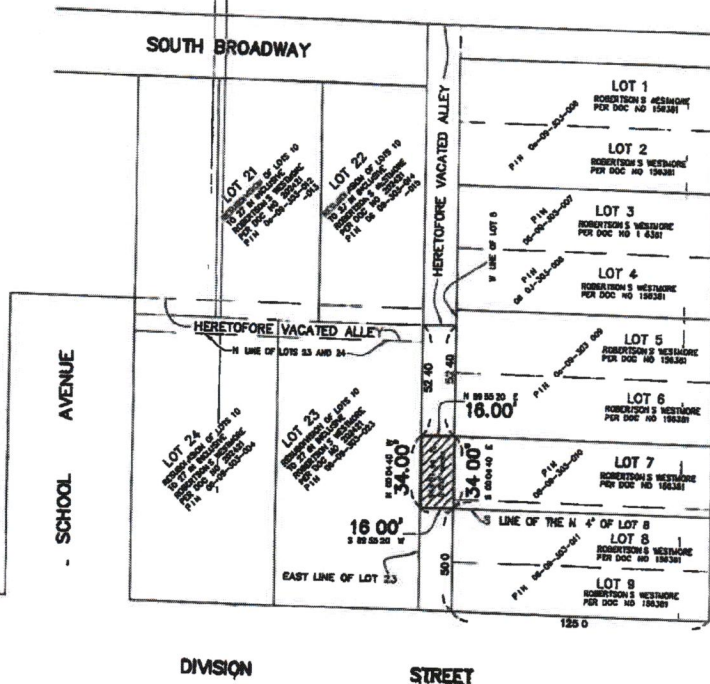
Exhibit "A"
Plat of Vacation

GRAPHIC SCALE



PLAT OF VACATION AND EASEMENT RETAINMENT

PIN 08-08-303-010



UTILITY AND DRAINAGE EASEMENT PROVISIONS

EASEMENTS ARE RETAINED FOR THE VILLAGE OF LOMBARD AND TO THOSE PUBLIC UTILITY COMPANIES OPERATING UNDER FRANCHISES FROM THE VILLAGE OF LOMBARD INCLUDING BUT NOT LIMITED TO COMMERCE HEALTH EDISON COMPANY AMERTECH NIGOR GAS MEDIANE AND THEIR SUCCESSORS AND ASSIGNS OVER ALL AREAS MARKED "EASEMENT FOR PUBLIC UTILITIES AND DRAINAGE" ON THE PLAT FOR THE PERPETUAL RIGHT PRIVILEGE AND AUTHORITY TO CONSTRUCT RECONSTRUCT REPAIR INSPECT MAINTAIN AND OPERATE VARIOUS UTILITY TRANSMISSION AND DISTRIBUTION SYSTEMS AND INCLUDING OVERLAND DRAINAGE STORM AND/OR SANITARY SEWERS TOGETHER WITH ANY AND ALL NECESSARY MANHOLES CATCH BASINS CONNECTIONS APPLIANCES AND OTHER STRUCTURES AND APPURTENANCES AS MAY BE DEEMED NECESSARY BY SAID VILLAGE AND/OR UTILITY COMPANIES OVER UPON ALONG UNDER AND THROUGH SAID INDICATED EASEMENT TOGETHER WITH RIGHT OF ACCESS ACROSS THE PROPERTY FOR NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OF THE ABOVE WORK. THE RIGHT IS ALSO RETAINED TO CUT DOWN AND/OR REMOVE ANY TREES OR OTHER PLANTS OR STRUCTURES THAT INTERFERE WITH THE OPERATION OF THE SEWERS OR OTHER UTILITIES NO PERMANENT BUILDINGS AND/OR STRUCTURES SHALL BE PLACED ON SAID EASEMENT BUT SAME MAY BE USED FOR GARDENS SHRUBS LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS WHERE AN EASEMENT IS USED FOR BOTH SEWER AND OTHER UTILITIES THE OTHER UTILITY INSTALLATION SHALL BE SUBJECT TO THE ORDINANCES OF THE VILLAGE OF LOMBARD

EASEMENT ARE HEREBY RETAINED BY THE VILLAGE OF LOMBARD AND OTHER GOVERNMENTAL AUTHORITIES HAVING JURISDICTION OF THIS ENTIRE EASEMENT AREA FOR INGRESS EGRESS AND THE PERFORMANCE OF MUNICIPAL AND OTHER GOVERNMENTAL SERVICES INCLUDING WATER STORM AND SANITARY SEWER SERVICE AND MAINTENANCE

EASEMENTS ALSO ARE RETAINED FOR CABLE COMMUNICATIONS COMPANIES ALONG WITH THE PUBLIC UTILITIES ALREADY REFERENCED

NOTHING SET FORTH ABOVE IS INTENDED TO SUPERSEDE ANY REQUIREMENTS CONTAINED IN ANY FRANCHISE AGREEMENT BETWEEN THE GRANTEE AND THE VILLAGE OF LOMBARD DU PAGE COUNTY ILLINOIS WHERE A CONFLICT EXISTS BETWEEN THIS EASEMENT RETAINMENT AND ANY SUCH FRANCHISE AGREEMENT OR WHERE THE PROVISIONS OF ANY SUCH FRANCHISE AGREEMENT ARE MORE RESTRICTIVE THAN THE LANGUAGE OF THIS EASEMENT RETAINMENT THE LANGUAGE OF SAID FRANCHISE AGREEMENT SHALL BE CONTROLLING UPON EACH OF THE GRANTEES



16' PUBLIC ALLEY HEREBY VACATED



16' PUBLIC UTILITIES & DRAINAGE EASEMENT HEREBY RETAINED

STATE OF ILLINOIS) SS
COUNTY OF DuPAGE)

THIS INSTRUMENT NUMBER _____ WAS FILED FOR RECORD IN THE
RECORDER'S OFFICE OF DuPAGE COUNTY, ILLINOIS,
AFORESAID ON THE _____ DAY OF _____ A.D. 20____ AT _____
O'CLOCK _____ M.

DuPAGE COUNTY RECORDER OF DEEDS

STATE OF ILLINOIS) SS
COUNTY OF DuPAGE)

APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD
ILLINOIS THIS _____ DAY OF _____ A.D. 20____

PRESIDENT

VILLAGE CLERK



GENTILE & ASSOCIATES, INC.

PROFESSIONAL LAND SURVEYORS
550 E. ST. CHARLES PLACE
LOMBARD, ILLINOIS 60148
PHONE (630) 518-8282

PREPARED FOR VILLAGE OF LOMBARD-DEPT OF COMMUNITY DEVELPMT

DRAWN BY VAF/MMG/VF

ORDER NO 12-20274-17 VAC S REV2

ILLINOIS PROFESSIONAL DESIGN
FIRM LICENSE NO 184 002870



STATE OF ILLINOIS) SS
COUNTY OF Du PAGE)

APPROVED BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT OF THE VILLAGE OF
LOMBARD, ILLINOIS, THIS _____ DAY OF _____ A.D. 20____

DIRECTOR OF COMMUNITY DEVELOPMENT

STATE OF ILLINOIS) SS
COUNTY OF DuPAGE)

THIS IS TO CERTIFY THAT I, JOSEPH GENTILE, ILLINOIS PROFESSIONAL LAND SURVEYOR
NUMBER 2824 HAVE PLATTED FROM AVAILABLE RECORDS THE FOLLOWING DESCRIBED
PROPERTY FOR THE PURPOSE OF VACATING A CERTAIN PUBLIC ALLEY (AS SHOWN
HEREON) DESCRIBED AS FOLLOWS

THAT PART OF THE NORTH AND SOUTH ALLEY ADJACENT TO LOT 7 IN ROBERTSON'S WESTMORE BEING A
SUBDIVISION IN PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 9 TOWNSHIP 38 NORTH
RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE HERETOFORE RECORDED JUNE 1ST 1922
AS DOCUMENT NO 188381 THE NORTH TERMINUS BEING THE NORTH LINE OF LOT 7 EXTENDED WEST TO THE
EAST LINE OF LOT 23 IN ROBERTSON'S WESTMORE RESUBDIVISION OF LOTS 10 TO 27 INCLUSIVE BEING IN
PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 9 TOWNSHIP 38 NORTH RANGE 11
RECORDED NOVEMBER 2 1925 AS DOCUMENT NUMBER 302451 THE SOUTH TERMINUS BEING THE SOUTH LINE
OF THE NORTH 4.00 FEET OF LOT 8 EXTENDED WEST TO THE EAST LINE OF LOT 23 IN THE AFORESAID
ROBERTSON'S WESTMORE ALL BEING IN DU PAGE COUNTY ILLINOIS

CONTAINING 544.01 sq ft (0.012 acres)

ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF

GIVEN UNDER MY HAND AND SEAL THIS 2ND DAY OF NOVEMBER A.D. 2017

ILLINOIS PROFESSIONAL LAND SURVEYOR NO 2825
MY LICENSE EXPIRES NOVEMBER 30, 2018