Legistar: 100244



May 5, 2010

TO: Public Works Committee

FROM: Carl S. Goldsmith, Director of Public Works

SUBJECT: Alley Maintenance Program

### Background

At the request of Trustee Moreau, the Public Works Department has developed the attached Alley Maintenance Policy. The intent of the policy is to formally articulate the Village's level of service provided to the 1.74 miles of alleys in Lombard. Based upon the Village financial situation, the *DRAFT* Alley Maintenance Policy is simply a statement of current practice relative to alley maintenance. The policy breaks down the level of service based upon the alleys' material composition (i.e. asphalt, concrete, grass). Additional attention is paid to whether the alley is private or public and how complaints of flooding in alleys are handled.

An ancillary issue related to the maintenance of alleys is that the staff has identified several alleys that have been determined to be surplus property and are recommended for vacation. Vacations of alleys in Lombard are handled pursuant to Administrative Policy 7.1 (attached). The policy follows 65 ILCS 5/11-91-1, which provides that in the event that the Corporate Authorities determine that the public interest will be subserved by vacating any street or alley, or part thereof, within their jurisdiction in any incorporated area, they may vacate that street or alley, or part thereof, by an ordinance. The Village is required to conduct a hearing at least 15 days prior to the adoption of the Ordinance vacating the property.

Through the staff review and development of the *DRAFT* Alley Maintenance Policy, it has been determined that the following alleys are subject to vacation. These alleys appear in **BLUE** on the map.

- Alley between Parkside Avenue to Randolph Street between Charlotte Street and Martha Street
- Alley between Randolph Street to alley located north of Maple Street between Charlotte
   Street and Martha Street
- Alley between Maple Street and Ash Street east of Charlotte Street with the exception of the westernmost lot
- Alley between Edgewood Avenue and Lewis Avenue south of Maple Street
- Alley between Lewis Avenue and Lodge Avenue south of Maple Street
- Alley between Lodge Avenue and Chase Avenue south of Maple Street

- Alley between Chase Avenue and Highland Avenue from Maple Street to North Broadway
- Alley between Graham Avenue and Wilson Avenue west of Main Street
- Alley west of Brewster located between 442 & 500 S. Brewster

The alleys recommended for vacation are no longer used for access to garages or homes. Each lot adjacent to the proposed vacated alleys has access from the street side frontage to garages or parking stalls. In the event that the Committee concurs with the staff recommendation to vacate the identified alleys, this matter will be coordinated with the Community Development Department staff. The appropriate hearings and ordinance will be prepared for consideration by the Village Board of Trustees.

The staff has reviewed previous alley policies (1990 & 2002) and has determined that the recommendations made in those previous policy manuals are generally consistent with the recommendation provided at this time. The 1990 & 2002 plans identify the level of maintenance for alleys to be on par with the maintenance afforded roadways. The majority of issues affecting the unimproved/underimproved alleys are related to storm water management and until corrected, it is not advisable to resurface the alleyways. Upon vacation of the alleys determined to be surplus, the Village should develop a plan, funded in a future CIP, to devise a drainage solution and surfacing of the remaining alleys.

### Recommendation

The Department of Public Works respectfully requests that the Public Works Committee recommend the following actions to the Village Board of Trustees:

- 1. Adoption of the Alley Maintenance Policy
- 2. Pursue the vacation of the alleys identified by staff.

### VILLAGE OF LOMBARD VILLAGE BOARD POLICY MEMORANDUM

Subject:	ALLEY MAINTENANCE POLICY		
		Number: Date:	

### 1) Purpose

a) To establish the alley maintenance and replacement programs in the Village of Lombard. This policy replaces all previous versions. The Village currently maintains over 1.74 miles alleys. A map of all Public Alleys is attached as Exhibit "A".

### 2) Procedures/Guidelines

### a) Concrete Alleys

- Concrete alleys are maintained on an as-needed basis, based on priority and available funding. The Village does not reconstruct alleys.
- ii) The Village shall perform snow and ice removal.
- iii) The Village shall remove overgrown vegetation in the public right-of-way on an annual basis.
- iv) Removal and/or trimming of vegetation that extends onto the public right-of-way from private property shall be the responsibility of the property owner. The Village reserves the right to remedy the situation if, after notice, the owner does not act. The Village shall place a lien against the property to recoup all costs related to the removal.
- v) The Village shall inspect, on an annual basis, the condition of the concrete surface.

### b) Asphalt Alleys

- i) Asphalt alleys are maintained on an as-needed basis, based on priority and available funding. The Village does not reconstruct alleys.
- ii) The Village shall perform snow and ice removal.
- iii) The Village shall remove overgrown vegetation in the public right-of-way on an annual basis.
- iv) Removal and/or trimming of vegetation that extends onto the public right-of-way from private property shall be the responsibility of the property owner. The Village reserves the right to remedy the situation if, after notice, the owner does not act. The Village shall place a lien against the property to recoup all costs related to the removal.
- v) The Village shall inspect, on an annual basis, the condition of the asphalt surface.
- vi) Potholes will be filled with Village crews.

### c) Gravel Alleys

- i) Gravel alleys are maintained on an as-needed basis, based on priority and available funding. The Village does not reconstruct alleys.
- ii) The Village shall perform snow and ice removal.
- iii) The Village shall remove overgrown vegetation in the public right-of-way on an annual basis.

- iv) Removal and/or trimming of vegetation that extends onto the public right-of-way from private property shall be the responsibility of the property owner. The Village reserves the right to remedy the situation if, after notice, the owner does not act. The Village shall place a lien against the property to recoup all costs related to the removal.
- v) The Village shall inspect, on an annual basis, the condition of the gravel surface.
- vi) Gravel alleys are re-graded on bi-annual basis. Should additional maintenance be required, Village crews will attend the site to add gravel or re-grade as necessary.

### d) Grass Alleys

- i) Grass alleys are maintained on an as-needed basis, based on priority and available funding. The Village does not reconstruct alleys.
- ii) Removal and/or trimming of vegetation that extends onto the public right-of-way from private property shall be the responsibility of the property owner. The Village reserves the right to remedy the situation if, after notice, the owner does not act. The Village shall place a lien against the property to recoup all costs related to the removal.

### e) Private Alleys

- i) Maintenance of alleys that have been vacated by the Corporate Authorities of the Village of Lombard shall be the responsibility of the adjoining property owner(s).
- ii) Maintenance of alleys that have not been dedicated to the Village of Lombard shall be the responsibility of the adjoining property owner(s).

### f) Alley Flooding

- i) Complaints on flooding and standing water in the alley should be directed to the Department of Public Works.
- ii) Areas prone to standing water shall be included in the Village of Lombard's Mosquito Abatement Contract for treatment to reduce the threat of mosquito borne illnesses.
- iii) Flooding in structures (i.e. homes and garages) should be directed to the Private Engineering Services Division in the Community Development Department.

### g) Alley Garbage & Weeds

i) Refuse collection in alleys shall be performed in accordance with the Village of Lombard Refuse, Recycling and Yardwaste contract.

### h) Vacation of Alleys

i) The Village of Lombard shall vacate alleys in accordance with Administrative Policy No. 7.1.

### 3) Legislation/Documentation

**Public Works Committee** 

5/11/10

### ILCS Listing Public Acts Search Guide Disclaimer

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concerning the relationship between statutes and Public Acts, refer to the Guide.

Because the statute database is maintained primarily for legislative drafting

purposes, statutory changes are sometimes included in the statute database before they take effect. If the source note at the end of a Section of the statutes includes a Public Act that has not yet taken effect, the version of the law that is currently in effect may have already been removed from the database and you should refer to that Public Act to see the changes made to the current law.

### (65 ILCS 5/11-91-1) (from Ch. 24, par. 11-91-1)

Sec. 11-91-1. Whenever the corporate authorities of any municipality, whether incorporated by special act or under any general law, determine that the public interest will be subserved by vacating any street or alley, or part thereof, within their jurisdiction in any incorporated area, they may vacate that street or alley, or part thereof, by an ordinance. The ordinance shall provide the legal description or permanent index number of the particular parcel or parcels of property acquiring title to the vacated property. But this ordinance shall be passed by the affirmative vote of at least three-fourths of the aldermen, trustees or commissioners then holding office. This vote shall be taken by ayes and noes and entered on the records of the corporate authorities.

No ordinance shall be passed vacating any street or alley under a municipality's jurisdiction and within an unincorporated area without notice thereof and a hearing thereon. At least 15 days prior to such a hearing, notice of its time, place and subject matter shall be published in a newspaper of general circulation within the unincorporated area which the street or alley proposed for vacation serves. At the hearing all interested persons shall be heard concerning the proposal for vacation.

The ordinance may provide that it shall not become effective until the owners of all property or the owner or owners of a particular parcel or parcels of property abutting upon the street or alley, or part thereof so vacated, shall pay compensation in an amount which, in the judgment of the corporate authorities, shall be the fair market value of the property acquired or of the benefits which will accrue to them by reason of that vacation, and if there are any public service facilities in such street or alley, or part thereof, the ordinance shall also reserve to the municipality or to the public utility, as the case may be, owning such facilities, such property, rights of way and easements as, in the judgment of the corporate authorities, are necessary or desirable for continuing public service by means of those facilities and for the maintenance, renewal and reconstruction thereof. If the ordinance provides that only the owner or owners of one particular parcel of abutting property shall make payment, then the owner or owners of the particular parcel shall acquire title to the entire vacated street or alley, or the part thereof vacated.

The determination of the corporate authorities that the nature and extent of the public use or public interest to be subserved in such as to warrant the vacation of any street or alley, or part thereof, is conclusive, and the passage of such an ordinance is sufficient evidence of that determination, whether so recited in the ordinance or not. The relief to the public from further burden and responsibility of maintaining any street or alley, or part thereof, constitutes a public use or public interest authorizing the vacation.

When property is damaged by the vacation or closing of any street or alley, the damage shall be ascertained and paid as provided by law.

(Source: P.A. 93-383, eff. 7-25-03; 93-703, eff. 7-9-04.)



### VILLAGE OF LOMBARD

### ADMINISTRATIVE POLICY MEMORANDUM

SUBJECT: Vacation of Streets or Alleys

(Public right-of-way)

No. : 7.1
Date : December 18, 1987

By : V

Distribution: All Departments Approved:

d: Willage Attorney
Village Manager

### I. Purpose

This administrative policy is to set forth the procedures and refer all parties interested in vacating public streets, alleys or other rights-of-way to the appropriate portion of State Statute prior to any action being taken or requested of the Corporate Authorities. This Policy shall not apply to requests for vacation associated with Planned Unit Developments or Subdivisions unless determined otherwise by the Village.

### II. Responsibility

It shall be the responsibility of the Planning Department to secure any and all requests for vacations of streets, alleys or public rights-of-way, and convey that request to all of the Department Heads, Village Manager and Assistant Village Manager. All Department Heads should review the request and make their report to the Planning Department. An ultimate recommendation should be made to the Village Manager's Office through the Planning Department for presentation to the Corporate Authorities.

### III. Forms

No specific forms for initiation of the procedure are required, but an ordinance is required for vacation of the street, alley or right-of-way.

### IV. Procedures

A non-refundable application fee shall be established by ordinance and reviewed on a periodic basis.

Normally, within fourteen (14) calendar days after receipt of a written request for a vacation, the Planning Department



Administrative Policy No. 7.1 Page 2

shall forward to all Department Heads, the request for vacation, along with a sketch or a map detailing or locating the proposed vacation. Within thirty (30) calendar days after the forwarding of the request of the Planning Department, all of the appropriate Department Heads will have filed their responses with the Planning Department regarding any objections, concerns or comments for the proposed vacation.

The Planning Department upon receipt of all of the comments, shall request meetings with any other interested or appropriate Department Head and, if necessary, the Village Manager's office to review the vacation request. After those meetings, if a preliminary determination has been made not to recommend the vacation, the person requesting it shall be so notified and advised of their legal right to proceed to the corporate authorities, but without a recommendation of the Village staff.

A favorable recommendation by the Village administrative staff would require or necessitate the securing of any evidence deemed necessary as to the value of the property. Generally it is recommended that an appraisal of the property be secured by the Village at the expense of the petitioner. Upon the securing of that evidence, a public hearing shall be scheduled with fifteen (15) days written notice in a newspaper within Lombard prior to the hearing of the proposed vacation. The Corporate Authorities shall take final action by consideration of an ordinance regarding said vacation. In the event the ordinance fails, the action shall not have been approved. Illinois Revised Statutes, Chapter 24, Section 11-91.1 et seq. shall be followed should there be any modifications or changes to this procedure.

WTL:cb

Chapter 131¼, ¶ et seq.
 Paragraphs 11-89-1 to 11-89-3 of this chapter.

11-90-2. Use of streets by railways-Petition-Exceptions

§ 11-90-2. The corporate authorities shall not grant the use of or the right to lay tracks in any street of the municipality to any railroad or street railway corporation except upon the petition of the owners of record of the land representing more than one-half of the frontage of the street, or so much thereof as is sought to be used for railroad or street railway purposes. Whenever the street or part thereof sought to be used is more than one mile in extent, no petition of landowners shall be valid unless the petition shall be signed by the owners of record of the land representing more than one-half of the frontage of each mile and of the fraction of a mile, measuring from the initial point specified in the petition, of the street or of the part thereof sought to be used for railroad or street railway purposes. However, the corporate authorities, without any petition of landowners, may grant the right to lay, maintain and also to operate railroad or street railway tracks, in, upon, or along any street, alley, or public place of the municipality in which the tracks are already laid at the time of making the grant. Also the corporate authorities, without any petition of landowners, may grant the use of or the right to lay tracks in any tunnel or subway beneath the surface of any street, alley, or public place. 11-90-3. Duration of permit

§ 11-90-3. Subject to the provisions of Section 11-90-4, every municipality may grant permission for a term longer than 20 years, but not exceeding 40 years, for locating, constructing, reconstructing, maintaining, operating, and laying tracks of any street railway in any street, alley, or public place in the municipality. However, this section has no application to a grant of a terminable permit expressly authorized by any law of this state. 11-90-4. Referendum

§ 11-90-4. No ordinance of any municipality granting permission under Section 11-90-3 for a term longer than 20 years shall become operative until a proposition to approve the ordinance has been submitted to the electors of the municipality and has been approved by a majority of the electors voting upon the proposition. Every such ordinance shall order such submission and shall designate the election at which the proposition is to be submitted in accordance with the general election law. The municipal clerk shall promptly certify such proposition to the proper election officials for submission.

The proposition need not include the ordinance in full but which shall indicate the nature of the ordinance, and shall be substantially in the following form:

Shall the ordinance passed by the city council (or board of trustees, etc.) of (name of municipality) on the day of, 19, entitled which granted permission for a term of years to (here insert the name of the grant-	YES	•
ee) to locate, construct, reconstruct, maintain, operate, and lay tracks, of (here insert the name of the grantee) in certain streets, alleys, and public places upon the terms and conditions therein stated, be approved?	МО	

Amended by P.A. 81-1489, § 26, eff. Dec. 1, 1980.

Division 91. Vacating of Streets and Alleys

11-91-1. Vote-Hearing-Compensation from abutting owners-Reservations-Public

11-91-2. Title upon vacation.

Damages.

11-91-1. Vote-Hearing-Compensation from abutting owners-Reservations-Public interest-Damages

§ 11-91-1. Whenever the corporate authorities of any municipality, whether incorporated by special act or under any general law, determine that the public interest will be subserved by vacating any street or alley, or part thereof, within their jurisdiction in any incorporated area, they may vacate that street or alley, or part thereof, by an ordinance. But this ordinance shall be passed by the affirmative vote of at least three-fourths of the aldermen, trustees or commissioners then holding office. This vote shall be taken by ayes and noes and entered on the records of the corporate authorities.

No ordinance shall be passed vacating any street or alley under a municipality's jurisdiction and within an unincorporated area without notice thereof and a hearing thereon. At least 15 days prior to such a hearing, notice of its time, place and subject matter shall be published in a newspaper of general circulation within the unincorporated area which the street or alley proposed for vacation serves. At the hearing all interested persons shall be heard concerning the proposal for vacation.

The ordinance may provide that it shall not become effective until the owners of property abutting upon the street or alley, or part thereof so vacated, shall pay compensation in an amount which, in the judgment of the corporate authorities, shall be equal to the benefits which will accrue to them by reason of that vacation, and if there are any public service facilities in such street or alley, or part thereof, the ordinance may also reserve to the municipality or to the public utility, as the case may be, owning such facilities, such property, rights of way and easements as, in the judgment of the corporate authorities, are necessary or desirable for continuing public service by means of those facilities and for the maintenance, renewal and reconstruction thereof.

The determination of the corporate authorities that the nature and extent of the public use or public interest to be subserved is such as to warrant the vacation of any street or alley, or part thereof, is conclusive, and the passage of such an ordinance is sufficient evidence of that determination, whether so recited in the ordinance or not. The relief to the public from further burden and responsibility of maintaining any street or alley, or part thereof, constitutes a public use or public interest authorizing the vacation.

When property is damaged by the vacation or closing of any street or alley, the damage shall be ascertained and paid as provided by law.

Amended by P.A. 79-1018, § 1, eff. Oct. 1, 1975.

### 11-91-2. Title upon vacation

§ 11-91-2. Except in cases where the deed, or other instrument, dedicating a street or alley, or part thereof, has expressly provided for a specific devolution of the title thereto upon the abandonment or vacation thereof, whenever any street or alley, or any part thereof, is vacated

under or by virtue of any ordinance of any municipality, the title to the land included within the street or alley, or part thereof, so vacated, vests in the then owners of the pland abutting thereon, in the same proportions and to the same extent, as though the street or alley has been dedicated by a common law plat (as distinguished from a statutory plat) and as though the fee of the street or alley had been acquired by the owners as a part of the land abutting on the street or alley.

Division 91.1. Persons Displaced by Federal Aid System of Streets and Highways

Par.

11-91.1-1. Moving expenses for displaced persons-Limitation.

Moving expense allowance-Dislocation allow-11-91.1-2 ance.

11-91.1-3. Fixed relocation payment in lieu of moving expenses-Average annual net earnings-Prerequisites to payment.

11-91.1-4. Additional payment for dwelling or rental of dwelling.

11-91.1-5. Reimbursement for recording fees, transfer taxes etc., and penalty costs on mortgage.

11-91.1-6. Construction in relation to eminent domain.

Division 91.1 was added by P.A. 76-1644, § 1, eff. Oct. 1, 1989.

Caption editorially supplied

11-91.1-1. Moving expenses for displaced persons-Limitation

§ 11-91.1-1. The municipality is authorized to pay, as part of the cost of construction of any project on the federal aid system of streets and highways, to a person displaced by said highway project the actual reasonable expenses in moving said person, his family, his business, or his farm operation, including the moving of personal property. The allowable expenses for transportation shall not exceed the cost of moving 50 miles from the point from which such person, family, business or farm is being

The municipality is authorized to adopt rules and regulations as may be determined necessary to implement the payments as authorized by this section.

Added by P.A. 76-1644, § 1, eff. Oct. 1, 1969.

11-91.1-2. Moving expense allowance-Dislocation allowance

§ 11-91.1-2. In lieu of the actual moving expenses heretofore authorized to be paid, the municipality may pay any person displaced, from a dwelling, who elects to accept such payment, a moving expense allowance determined according to a schedule to be established by the municipality, not to exceed \$200, and a further dislocation allowance of \$100.

Added by P.A. 76-1644, § 1, eff. Oct. 1, 1969.

11-91.1-3. Fixed relocation payment in lieu of moving expenses-Average annual net carnings-Prerequisites to payment

§ 11-91.1-3. In lieu of the actual moving expenses heretofore authorized to be paid, the municipality may pay any person who moves or discontinues his business or farm operation, who elects to accept such payment, a fixed

relocation payment in an amount equal to the average annual net earnings of the husiness or the farm operation, or \$5,000, whichever is the lesser. In the case of a business, no payment shall be made unless the municipality is satisfied that the business (1) cannot be relocated without a substantial loss of its existing patronage, and (2) is not part of a commercial enterprise having at least one other establishment not being acquired for highway purposes which is engaged in the same or similar business. The term "average annual net earnings" means one-half of any net earnings of the business or farm operation, before Federal, State and local income taxes, during the two taxable years immediately preceding the taxable year in which such business or farm operation moves from the real property being acquired for such project, and includes any compensation paid by the business or farm operation to the owner, his spouse or his dependents during such two year period.

Added by P.A. 76-1644, § 1, eff. Oct. 1, 1969.

11-91.1-4. Additional payment for dwelling or rental of dwelling

§ 11-91.1-4. In addition to the amounts heretofore authorized to be paid by the municipality, the municipality may, as a part of the cost of construction, make a payment to the owner of real property acquired for a Federal Aid highway project which is improved by a single, two or three family dwelling actually owned and occupied by the owner for not less than one year prior to the initiation of negotiations for the acquisition of such property, an amount which, when added to the acquisition payment, equals the average price required for a comparable dwelling determined in accordance with standards established by the municipality to be a decent, safe and sanitary dwelling adequate to accommodate the displaced owner, reasonably accessible to public services and places of employment and available on the private market. Such payment shall not exceed the sum of \$5,000, and shall be made only to a displaced owner who purchases and occupies a dwelling that meets the standards established by the municipality within one year subsequent to the date on which he is required to move from the dwelling acquired for the highway project. Any individual or family not eligible to receive such payment, who is displaced from any dwelling which dwelling was actually and lawfully occupied by such individual and family for not less than ninety days prior to the initiation of negotiations for acquisition of such property, may be paid by the municipality an amount necessary to enable such individual or family to lease or rent for a period not to exceed two years, or to make the down payment on the purchase of a decent, safe and sanitary dwelling of standards adequate to accommodate such individual or family in areas not generally less desirable in regard to public utilities and public and commercial facilities. Such payment shall not exceed the sum of \$1,500.

Added by P.A. 76-1644, § 1, eff. Oct. 1, 1969.

11-91.1-5. Reimbursement for recording fees, transfer taxes etc., and penalty costs on mortgage

§ 11-91.1-5. In addition to the amounts heretofore authorized to be paid, the municipality may reimburse the owner of real property acquired for a Federal Aid highway project the reasonable and necessary expenses incurred for (1) recording fees, transfer taxes, and similar expenses incidental to conveying such property; and (2) penalty

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### AN ORDINANCE SETTING UP PROCEDURES FOR VACATION OF STREETS, ALLEYS OR OTHER PUBLIC RIGHT OF WAYS

WHEREAS, the Corporate Authorities pursuant to Illinois Revised Statutes, Chapter 24, Section 11-91 et seq has the right and authority to vacate streets or alleys within the corporate limits; and

WHEREAS, the vacation of streets and alleys require the Village to give up valuable property; and

WHEREAS, it may be necessary for the Village to incur unusual and/or extraordinary expenses to review any request for vacations of streets and alleys; and

WHEREAS, the Corporate Authorities deem it reasonable to have the person or persons requesting vacations to pay for any costs associated therewith.

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 Title 12.26 be added to read as follows:

Vacation of Streets and Alleys

Section 2: That Title 12.26.010 be amended to add as follows:

Any request for vacation of a street or public alley located within the corporate limits of the Village of Lombard shall be presented to the Board of Trustees for their action in accordance with Illinois Revised Statutes, Chapter 24, Section 11-91-1 et seq

Section 3: That Title 12.26.020 shall be amended to read as follows:

Any request for vacation of a street or alley within the corporate limits of the Village of Lombard shall first be submitted to the Village Manager in written form clearly designating the area which is to be vacated. A fee of \$100.00 shall accompany each request for vacation. The Village Manager after review and consultation with the appropriate Department Heads shall advise the person requesting the vacation whether or not the staff will recommend said vacation.

Section 4: That Title 12.26.030 be amended to read as follows:

Upon a determination of the Village Manager to recommend or not recommend said vacation, the property owner shall have the right to present the request to the Corporate Authorities. In the event the petitioner or property owner continues to request the vacation, said person shall deposit with the Village of Lombard sufficient monies as determined by the Director of Planning to cover any costs associated with an appraisal of the property. Any monies held above the cost of the appraisal shall be refunded to the petitioner when the process is complete.

Section 5: That Title 12.26.040 be amended to read as follows:

Upon receipt of the Village Manager's Office of the appraisal, public hearings shall be scheduled with at least fifteen (15) days prior to said public

ORDINANCE SETTING UP PROCEDURES FOR VACATION OF STREETS, ALLEYS OR OTHER PUBLIC RIGHT OF WAYS PAGE 2

hearing notice of its time, place and subject matter being published in a newspaper of general circulation of the Village of Lombard.

Section 6: That Title 12.26.050 be amended to read as follows:

It shall be the burden of the person requesting the vacation to present his request to the Corporate Authorities for vacation of the street or alley. The Village Manager's Office shall make its recommendation and present any evidence as to the value of the property which was received from the appraiser.

Section 7: That Title 12.26.060 be amended to read as follows:

In the event the Corporate Authorities after conclusion of the public hearing and at a Board of Trustees meeting wish to vacate said property, an ordinance shall be passed by an affirmative vote of at least three-fourths of the Board of Trustees holding office. The ordinance shall contain any conditions or requirements of said vacation of the property.

ATTEST:

Lorraine G. Gerhardt Village Clerk ·

APPROVAL AS TO FORM:

Rita Elsnerov Village Attorney



To: Stan Rickard, Director of Public Works

From: Keith J. Surges, Operations Superintendent

Date: September 25, 2002

RE: Alley Maintenance Program

I have inventoried the alleys throughout the Village. We currently have 24 alleys, which consist of the following conditions:

- 10 have hard surface treatments either concrete or asphalt.
- 1 has a portion of hard surfaced then gravel.
- 1 has a portion of hard surfaced then landscaped.
- 7 are gravel only.
- 2 are a combination of landscaped or overgrown then gravel.
- 3 landscaped completely.

My recommendation as to the maintenance program that the Public Works Department should perform is as follows:

- 1. Hire a surveyor to research DuPage County records for current documentation.
- 2. Surveyor should then stake out alleys and Village forces should video tape alleys for future use as program proceeds and to document existing conditions.
- 3. Surveyor should then draw new record drawings and file them with DuPage County as the official plats.
- 4. From this point on the Village Streets/Electrical Division shall maintain the alleys in current condition.
- 5. The alleys that currently have a hard driving surface should be patched and maintained in the same manner as any other street located in Village R-O-W.

- 6. The alleys that are gravel a cost should be calculated to have the alleys graded to a semi-draining condition to remove some of the gravel that has been added over the past 30 plus years. Contractor or Village forces with the rental of a grader could complete this work.
- 7. Request the CIP have a project slated to have the remaining alleys that are not currently hard surface, be improved including proper storm sewers to accomplish positive drainage.
- 8. From the point that the alleys are fully improved the entire alley system should be maintained, as all other Village streets.

Attached is the current list of alleys and a map showing locations within the Village including any updated information.

Should you have any questions or concerns please contact me.

CC: John Burg, Assistant Director of Public Works
David Dratnol, Village Engineer
Brian Jack, Streets/Electrical Crew Leader

### Page 1 of 4

Wednesday, October 30, 2002

Current Use Vacated Priority Vacated Currently or Possible Future Vacation	Yards No O Alley Should be Vacated- Partial Alley This alley already vacated from Martha	Resident access to No O Alley Should be Vacated garage	Business and resident No C No garage access	Business access No O Alley Should be Vacaled	Not maintained grown No O Alley Should be Vacated over	Used as residents yards No O Alley Should be Vacated	Access to apartment No F No parking	Yards No O Alley Should be Vacated
Current Condition Curr	Landscaped	Gravel Residen	Gravel Business garag	Gravel Busine	Overgrown Not maint	Landscaped Used as re	Gravel Access to	Landscaped
Alley Alley Location Number	14a Between Charlotte Street and Martha Street south of Maple Street	07a Between Highland and School North of Division	13a Between Main Street and Charlotte Street just south of Maple Street	Between Division and Prairie Path just west of Westmore Weyers	between Division and Prairie Path just west of Westmore Weyers	7 Between Highland and School North of Division	Between Edgewood and just east of Chase Avenue north of East North Broadway	9 East North Broadway to alley # 8 east of Chase Avenue
Number HS Al Rating Nu	- 4	2 07	3 13	4 06a	5 06b	9	7 CM Sect 08	8 7 17 8 100 mm

Wednesday, October 30, 2002

Number H S Rating	Alley Number	Alley Location	Current Condition	Current Use	Vacated	Priority	Vacated Currently or Possible Future Vacation
on and	D90	Between Division and Prairie Path just west of Westmore\Meyers	Gravel	Business access	No	0	Alley Should be Vacated
10	11	East North Broadway to alley # 8 between Lewis Avenue and Lodge Avenue	Gravel	Apartment parking	N <sub>0</sub>	0	Alley Should be Vacated
11	090	Between Division and Prairie Path just west of WestmoreWeyers	Landscaped	Yard	N N	0	Alley Should be Vacated
12	12	Between Highland Avenue and Westmore Meyers north of Prairie Path	Gravel	Business access	o Z	0	Alley Should be Vacated (ComEd and Westmore Supply Access)
13	22	Between Chase to Highland South of Union Pacific Rail Road	Landscaped	Village maintained utility coridor	o Z	0	No
4-	14	Between Charlotte Street and Martha Street south of Maple Street	Gravel	Resident access to 2 homes	o N	ш	Alley Should be Vacated- Partial Alley This alley already vacated from Martha
15	15	Between Charlotte Street and Martha Street north of Maple Street	Gravel	Resident access to garages	Š	I	No
16	16	Between Charlotte Street and Martha Street from Parkside running south to alley # 15	Grass	Not maintained, grown over	ON S	0	Alley Should be Vacated

### Page 3 of 4

Wednesday, October 30, 2002

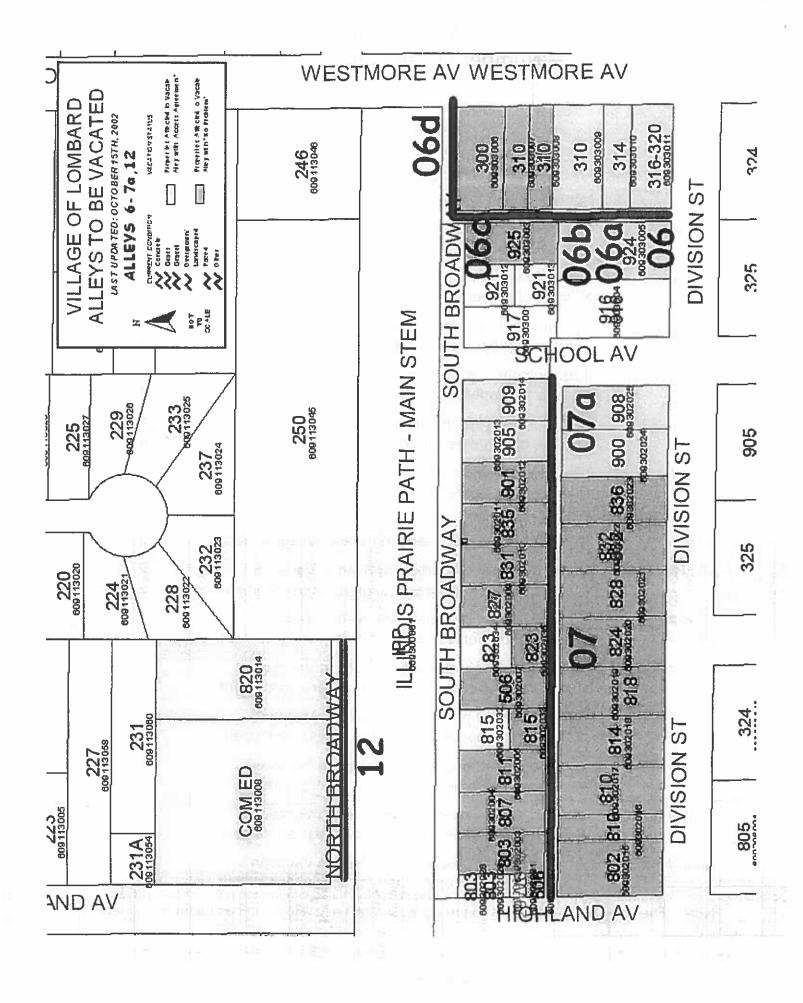
	1				1			
Vacated Currently or Possible Future Vacation	°Z	No	ON	Alley Should be Vacated	Alley Should be Vacaled	Alley Should be Vacated	ON	o <sub>N</sub>
Priority	o ·	Ф.	∢ .	0	0	0	z	Σ
Vacated	Š	S S	O Z	S O	o N	No	o N	o.
Current Use	Resident access to garages	Resident acess to garages	Resident access to garages	Resident access to garages	Yards	Business access	Resident access	Access to apartment parking
Current Condition	Gravel	Gravel	Gravel	Gravel between 212 and 216	Landscaped	Paved	Paved	Concrete
Alley Location	Between Craig Avenue and Stewart Avenue south of Parkside Avenue	Between Stewart Avenue and Lombard Avenue running north from Elm Street	Between Parkside Avenue and Elm Street running west of Lombard Avenue to Alley # 18	Between Brewster Avenue and Edson Avenue from Prairie Path to 216 and 212 Brewster Avenue	Between Brewster Avenue and Edson Avenue from Prairie Path to 216 and 212 Brewster Avenue	Between Division and Prairie Path Just west of Westmore\Meyers	Between Brewster Avenue and Edson Street south of Hickory Street	Between Lewis Avenue and Lodge Lane South of South Broadway to end of Division
Alley Number	17	82	61	20	20a	90	21	002
20		iew			- F-14	ш	15 F 20 F 2	Σ
Number H S Ratin	11	18	19	20	21	22	23	24

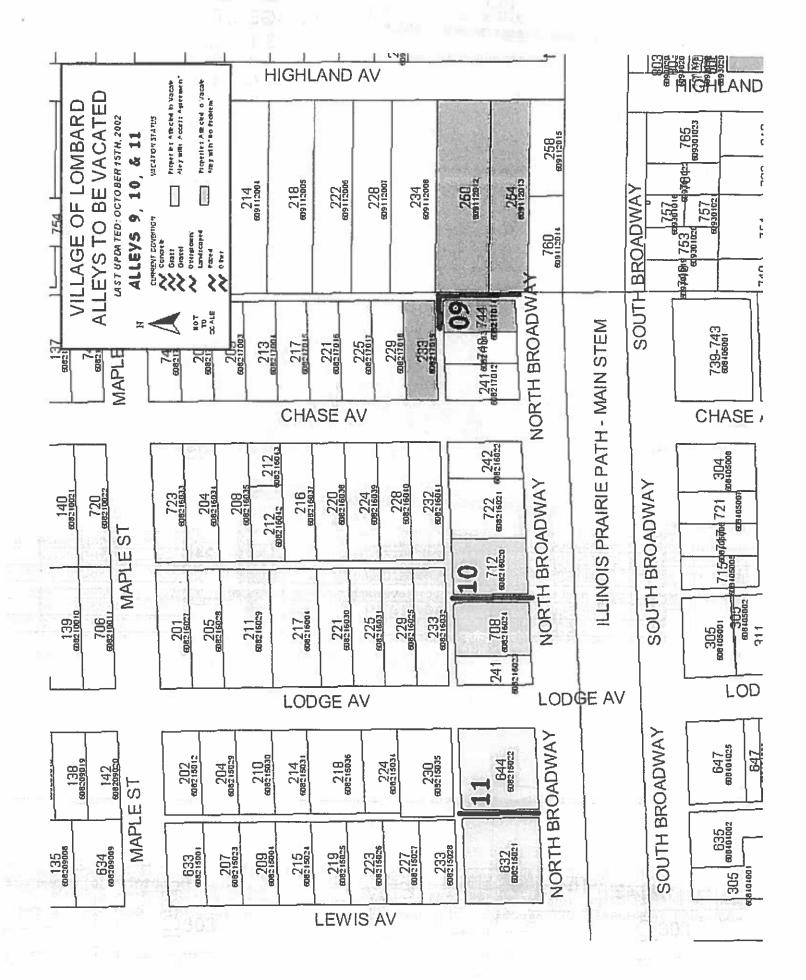
Vacated Currently or Possible Future Vacation	ON	No	No	Alley Should be Vacated	No	No	No
Priority	_	포	_	0	a	-7	O
Vacated	S.	Š.	NO N	N	ON N	S S	o <sub>N</sub>
Current Use	Access to apartment parking	Access to apartment parking	Access to aparlment parking	Access to apartment parking	Used as Rresident and business access	Access to apartment parking	Business and resident garage access
Current Condition	Concrete	Concrete	Concrete	Paved	Paved	Concrete	Paved
Alley Location	Between Edgewood Avenue and Lewis Avenue South of South Broadway	East of Chase Avenue from Chase Avenue curving out to South Broadway	Between alley # 1 and Chase Avenue	East North Broadway to alley # 8 between Lodge Avenue and Chase Avenue	Between Main Street and Lincoln Avenue north of Roosevelt Road	Between Division and South Broadway, just east of Lodge Lane	Between Main Street and Charlotte Street just south of Maple Street
Alley Number	04	03	05	10	23	10	5
20	Σ	M	Σ	<u> </u>	œ.	۵	۵
Number H S Ratin	25	26	27	28	29	30	31

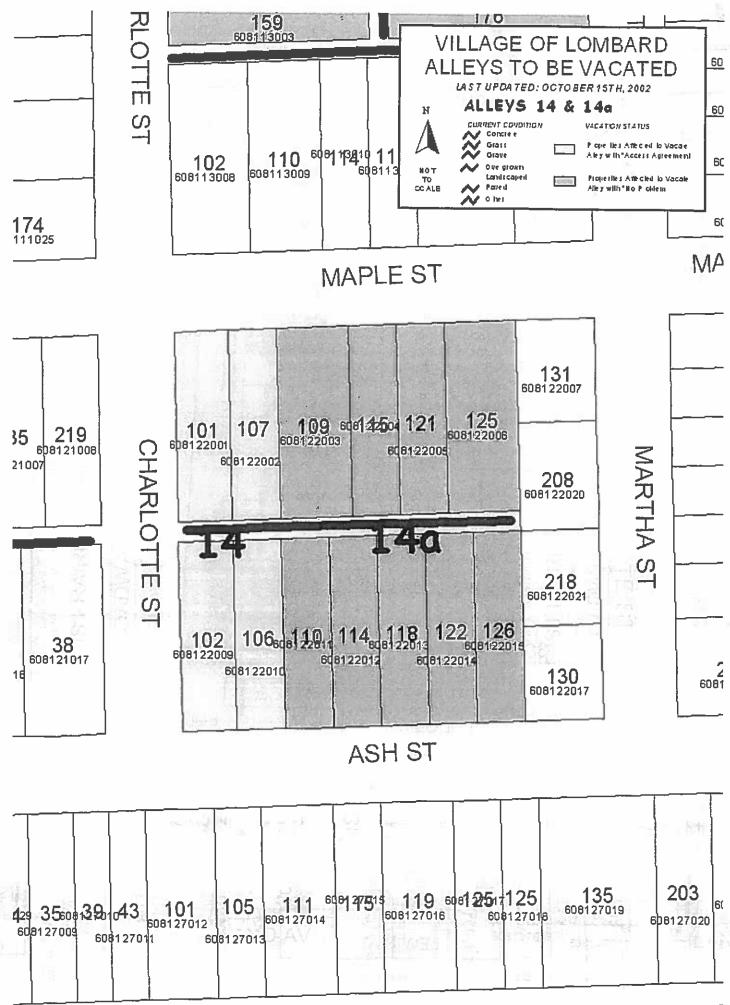
### Alley Vacation "Number of Affected Properties"

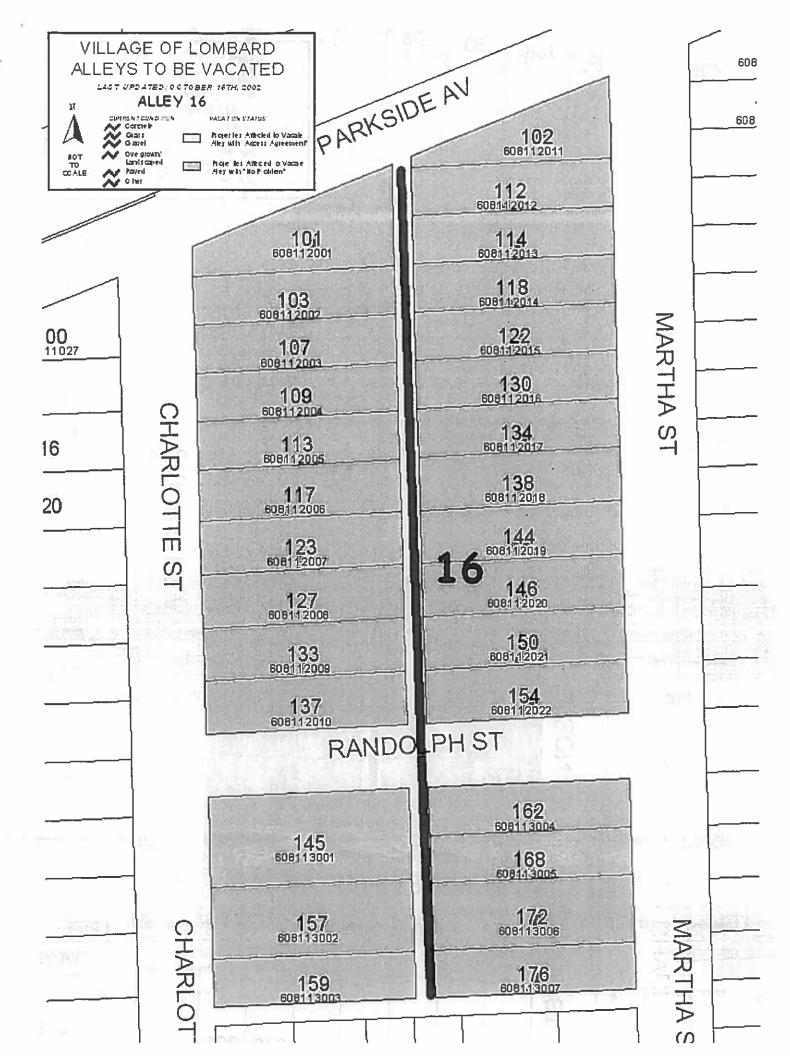
Alley # 06	Total number of properties involved in Vacation Number of properties needed for access agreement	4 4
Alley # 06a	Total number of properties involved in Vacation Number of properties needed for access agreement	4 4
Alley # 06b	Total number of properties involved in Vacation  Number of properties needed for access agreement	4
Alley # 06c	Total number of properties involved in Vacation  Number of properties needed for access agreement	4 0
Alley # 06d	Total number of properties involved in Vacation  Number of properties needed for access agreement	1
Alley # 7	Total number of properties involved in Vacation  Number of properties needed for access agreement	20 0
Alley # 7a	Total number of properties involved in Vacation  Number of properties needed for access agreement	4
Alley # 9	Total number of properties involved in Vacation Number of properties needed for access agreement	4
Alley # 10	Total number of properties involved in Vacation  Number of properties needed for access agreement	2
Alley # 11	Total number of properties involved in Vacation Number of properties needed for access agreement	2
Alley # 12	Total number of properties involved in Vacation Number of properties needed for access agreement	2
Alley # 14	Total number of properties involved in Vacation Number of properties needed for access agreement	4
Alley # 14a	Total number of properties involved in Vacation Number of properties needed for access agreement	9
Alley # 16	Total number of properties involved in Vacation Number of properties needed for access agreement	29 0
Alley # 20	Total number of properties involved in Vacation Number of properties needed for access agreement	15 0
Alley # 20a	Total number of properties involved in Vacation Number of properties needed for access agreement	3 2

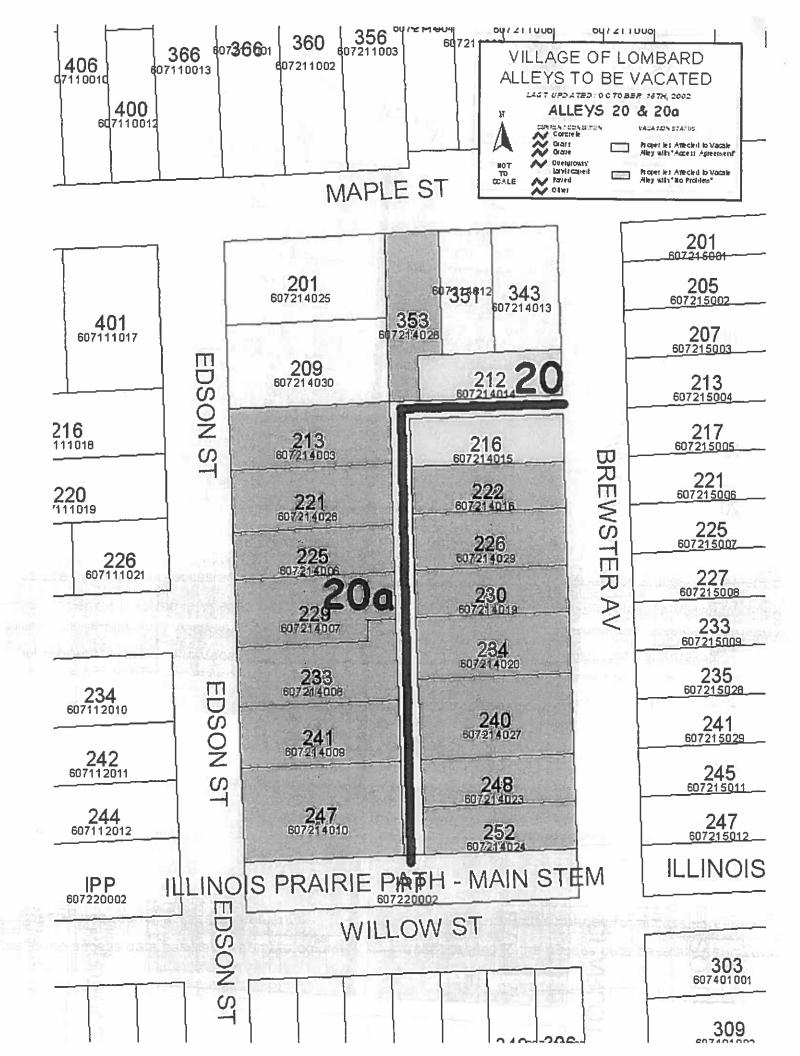
Note: The alley number relates to the access data base alley number column.











### **Alley Vacation Property PIN Numbers**

	Vacation
PIN's of Possible	With or Without Access
Propertry to be Vacated	Agreements
608122002	NEED ACCESS AGREEMENT
608122001	NEED ACCESS AGREEMENT
608122010	NEED ACCESS AGREEMENT
608122009	NEED ACCESS AGREEMENT
607214014	NEED ACCESS AGREEMENT
609113008	NEED ACCESS AGREEMENT
609113014	NEED ACCESS AGREEMENT
607214015	NEED ACCESS AGREEMENT
608216020	NEED ACCESS AGREEMENT
608216024	NEED ACCESS AGREEMENT
608215022	NEED ACCESS AGREEMENT
608215021	NEED ACCESS AGREEMENT
609302013	NEED ACCESS AGREEMENT
609302013	NEED ACCESS AGREEMENT
609303009	NEED ACCESS AGREEMENT
609303009	
	NEED ACCESS AGREEMENT
609302024	NEED ACCESS AGREEMENT
609302025	NEED ACCESS AGREEMENT
609303010	NEED ACCESS AGREEMENT
609303011	NEED ACCESS AGREEMENT
608112011	NO PROBLEM
608112012	NO PROBLEM
608112001	NO PROBLEM
608112013	NO PROBLEM
608112014	NO PROBLEM
608112002	NO PROBLEM
608112015	NO PROBLEM
608112003	NO PROBLEM
608112016	NO PROBLEM
608112004	NO PROBLEM
608112017	NO PROBLEM
608112005	NO PROBLEM
608112018	NO PROBLEM
608112006	NO PROBLEM
608112019	NO PROBLEM
608112007	NO PROBLEM
608112020	NO PROBLEM
608112008	NO PROBLEM
608112021	NO PROBLEM
608112009	NO PROBLEM
608112022	NO PROBLEM
608112010	NO PROBLEM
608113004	NO PROBLEM
608113001	NO PROBLEM
608113005	NO PROBLEM
608113006	NO PROBLEM
608113002	NO PROBLEM
608113007	NO PROBLEM
608113007	NO PROBLEM
608122006	NO PROBLEM
608122005	NO PROBLEM
608122004	NO PROBLEM

### Alley Vacation Property PIN Numbers

608122003	NO PROBLEM
607214026	NO PROBLEM
608122015	NO PROBLEM
608122014	NO PROBLEM
608122013	NO PROBLEM
608122012	NO PROBLEM
608122011	NO PROBLEM
608217019	NO PROBLEM
609112012	NO PROBLEM
607214003	NO PROBLEM
608217014	NO PROBLEM
607214015	NO PROBLEM
607214016	NO PROBLEM
607214028	NO PROBLEM
609112013	NO PROBLEM
607214029	NO PROBLEM
607214006	NO PROBLEM
607214019	NO PROBLEM
607214007	NO PROBLEM
607214020	NO PROBLEM
607214008	NO PROBLEM
607214027	NO PROBLEM
607214009	
609303006	NO PROBLEM
609302003	NO PROBLEM
	NO PROBLEM
609302004 609302005	NO PROBLEM
	NO PROBLEM
609302007	NO PROBLEM
609302009	NO PROBLEM
609302010	NO PROBLEM
609302011	NO PROBLEM
609302012	NO PROBLEM
609303003	NO PROBLEM
607214023	NO PROBLEM
607214010	NO PROBLEM
609303007	NO PROBLEM
609302033	NO PROBLEM
609302035	NO PROBLEM
609302027	NO PROBLEM
607214024	NO PROBLEM
609303008	NO PROBLEM
609302015	NO PROBLEM
609302016	NO PROBLEM
609302017	NO PROBLEM
609302018	NO PROBLEM
609302019	NO PROBLEM
609302020	NO PROBLEM
609302021	NO PROBLEM
609302022	NO PROBLEM
609302023	NO PROBLEM



MEMO TO :

Stan Rickard

Director of Public Works

Jeffrey B. Coder Director of Planning

FROM :

William T. Lichter W

Village Manager

DATE

August 2, 1990

SUBJECT :

Maintenance of Village Alleyways

Attached herewith is a memorandum from Trustee Tross regarding maintenance of Village alleyways. This memorandum addresses questions regarding the location and maintenance of alleys within the jurisdiction of the Village of Lombard.

Pursuant to this memorandum please take the following steps:

- 1. The Planning Department should identify the location of alleys in the Village which are dedicated rights-of-way.
- 2. After determining the above, the Public Works Department should survey those alleys and determine the general condition of the roadway surfaces.

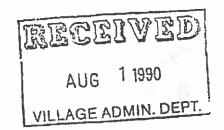
After receiving the requested information, I would suggest that we meet to discuss maintenance alternatives for the alleys.

Please provide me with a status report by September 21 indicating the work accomplished to that date and the estimated time required to complete this project.

WTL:cb

cc: Richard Tross, Village Trustee President and Board of Trustees





TO:

Bill Lichter, Village Manager

FROM:

Dick Tross, Trustee

DATE:

July 29, 1990

SUBJECT:

Maintenance of Village Alleyways

Last year and again this year, residents have brought to my attention during street improvements projects that the Village has some dedicated "alleyways" in certain areas. Some residents have indicated a lack of maintenance to these "alleyways" and been harshly critical of our staff responses when calls are made regarding this topic.

First, while I am familiar with some locations, I would like to know where all these "alleyways" are located; are they Village dedicated properties; is the Village responsible for maintenance; if so, what are our procedures to maintain them in reasonably fair conditions, considering they are gravel base.

Second, the street improvement project currently underway in the area bounded by Maple, Parkside, Grace, and Main appears to have several of these "alleyways" which, in some instances, I have noted that asphalt is being installed at least up to the sidewalks from the street. I would request that the Village do that to all the "alleyways" in this area and future areas; and I would suggest that the Village extend that hard surface asphalt at least an additional thirty (30) feet into these "alleyways" assuring that hard surfaces extended back beyond the minimum building line set backs and avoid gravel from being swept into the streets and drainage structures.



PUBLIC WORKS

NOV 1 9 1990

MEMO TO

Richard J. Tross

Village Trustee - District #2

FROM

William T. Lichter

Village Manager ·

DATE

November 16, 1990

SUBJECT :

Maintenance of Village Alleyways

Attached herewith is a report from the Department of Public Works which assesses the condition of alleys maintained by the Village. Also attached is previous correspondence regarding this issue.

Now that the requested information has been received the administrative staff will be meeting to discuss maintenance alternatives for the alleys. Thereafter this issue will be forwarded to the Public Works Committee for further consideration.

Please feel free to contact me should you wish to discuss this matter in more detail.

WTL:cb

Attachments

cc: President and Board of Trustees Stan Rickard, Director of Public Works



TO:

William T. Lichter, Village Manager

FROM:

Donald L. Luebke, Superintendent of Operations & Lubba

DATE:

November 13, 1990

SUBJECT:

Assessment of Alleys Maintained by Village

Attached are eleven maps of alleys which the Public Works Department has been maintaining. These alleys are described below and are ranked one to ten based on condition; ten being the best condition.

### CEMENT

MAP NOS.	(R-O-W)	(Driving Surface)	(Total Footage)	(Condition)
1,2	12 FT	8 FT	1571 FT	8

Current maintenance consists of hot patching on request where cement spalls off.

### GRAVEL

MAP NOS.	(R-O-W)	(Driving	Surface)	(Total Footage) (Condition)	
3,5 4,5,8,9,10	12 FT 20 FT		FT FT	1320 FT 4 1739 FT 4	

Potholes are filled in on rainy days or as requested.

### ASPHALT

MAP. NOS.	(R-O-W) (Dri	ving Surface)	(Total Footage)	(Condition)
3	12 FT	8 FT	115 FT	7
4	20 FT	12 FT	220 FT	7
6	20 FT	12 FT	353 FT	*
11	20 FT	12 FT	268 FT	10

\*East Half Rating 8 West Half Rating 4

Potholes are filled on a as needed basis.

### SEALCOAT

MAP NOS.	(R-O-W) (D	riving Surface)	(Total Footage)	(Condition)
7	20 FT	12 FT	353 FT	6

Alley driving surface patched with hot mix on as needed basis.

The gravel driveways don't have drainage to the streets, and they contain too much gravel. We could improve the alleys to some extent with rental of a road grader and haul out the excess gravel. However, unless storm water lines and structures are installed, the Public Works Department will still have complaints of potholes. Hard surfacing of the gravel alleys is the recommended way to eliminate most, if not all, of the complaints' currently being received by the Village.

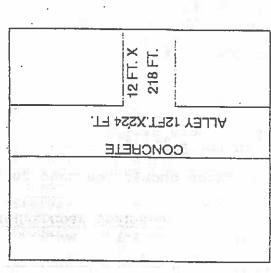
After reviewing maps 6 and 11 the Public Works Department recommends that we vacate these alleys, keeping utility easements as needed. The above is recommended because the Operations Division does not plow these alleys, and pothole maintenance has not been requested in the past.

Please contact this office should you need further information.

### DLL:kg

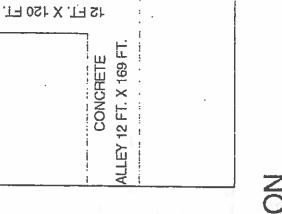
cc: Stan Rickard, Director of Public Works
Philip J. Modaff, Public Works Administrator
Keith J. Surges, Assistant Superintendent of Operations

### **FODGE FM**

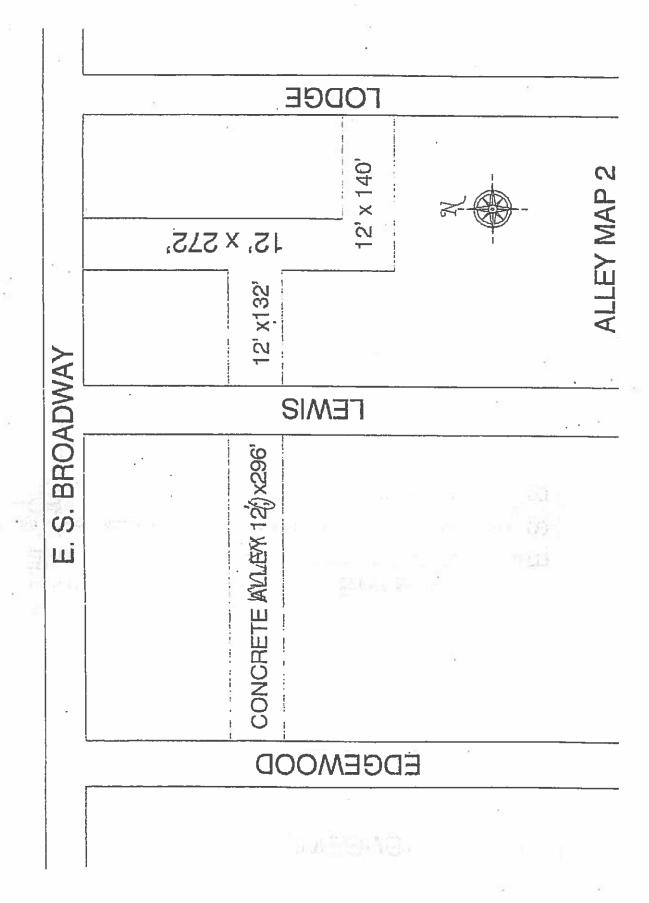


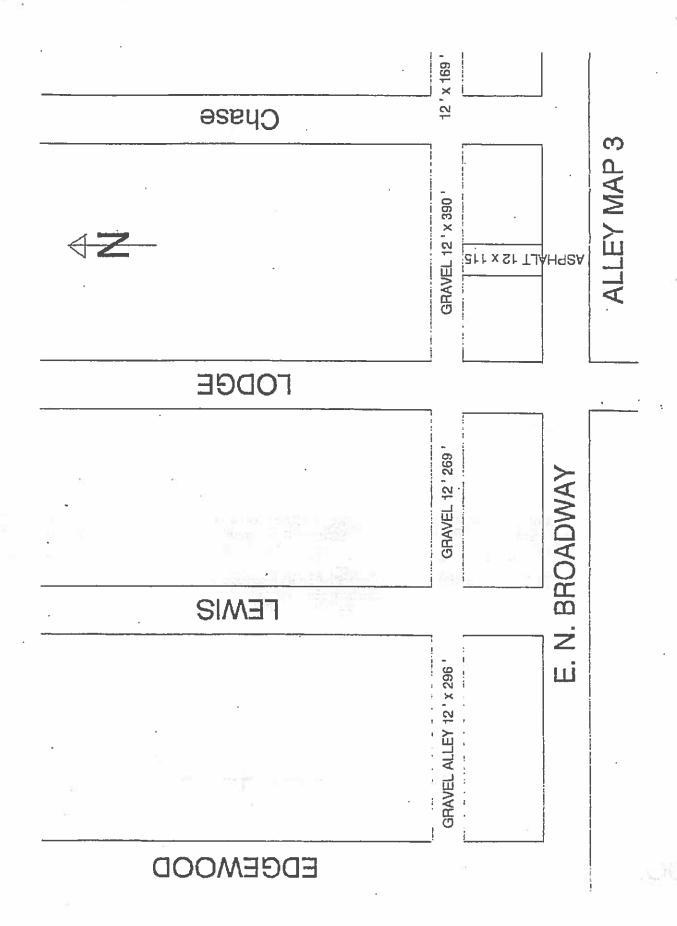
E.S.BROADWAY

### CHASE



### DIVISION





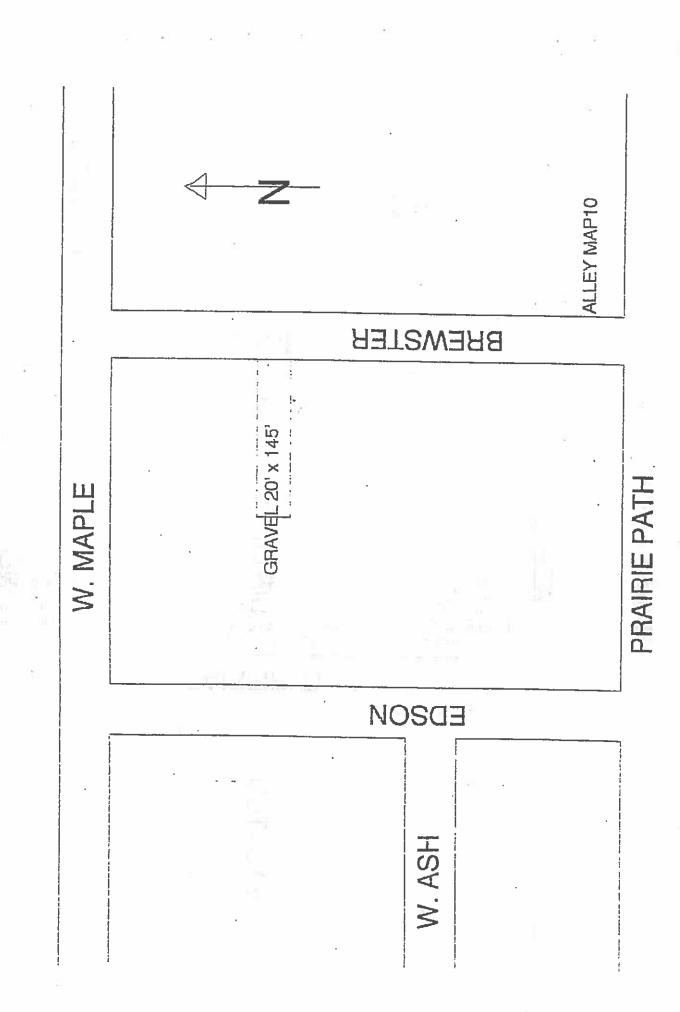
## ALLEY MAP 4

	. <del></del>		 
1 2	· · · · · · · · · · · · · · · · · · ·		ALLEY MAP 6
3	·	20' x 353'	A
		ASPHA T 20' x 353'	
		ž:	
		i ;	

ГІИСОГИ

**NIAM** 

				3	MESTMORE		
2	The second secon	E. MAPLE	GRAVEL 20' x 270'		DIVISION		
	•	7 -		ID	NΑ	HIGHI	
						si	



NORTH AVE.



MEMO TO

Stan Rickard

Director of Public Works

Jeffrey B. Coder Director of Planning

FROM

William T. Lichter W

Village Manager

DATE :

August 2, 1990

SUBJECT :

Maintenance of Village Alleyways

Attached herewith is a memorandum from Trustee Tross regarding maintenance of Village alleyways. This memorandum addresses questions regarding the location and maintenance of alleys within the jurisdiction of the Village of Lombard.

Pursuant to this memorandum please take the following steps:

- The Planning Department should identify the location of alleys in the Village which are dedicated rights-of-way.
- After determining the above, the Public Works Department should survey those alleys and determine the general condition of the roadway surfaces.

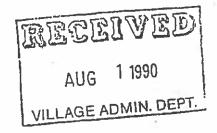
After receiving the requested information, I would suggest that we meet to discuss maintenance alternatives for the alleys.

Please provide me with a status report by September 21 indicating the work accomplished to that date and the estimated time required to complete this project.

WTL:cb

cc: Richard Tross, Village Trustee President and Board of Trustees





TO: Bill Lichter, Village Manager

FROM: Dick Tross, Trustee

DATE: July 29, 1990

SUBJECT: Maintenance of Village Alleyways

Last year and again this year, residents have brought to my attention during street improvements projects that the Village has some dedicated "alleyways" in certain areas. Some residents have indicated a lack of maintenance to these "alleyways" and been harshly critical of our staff responses when calls are made regarding this topic.

First, while I am familiar with some locations, I would like to know where all these "alleyways" are located; are they Village dedicated properties; is the Village responsible for maintenance; if so, what are our procedures to maintain them in reasonably fair conditions, considering they are gravel base.

Second, the street improvement project currently underway in the area bounded by Maple, Parkside, Grace, and Main appears to have several of these "alleyways" which, in some instances, I have noted that asphalt is being installed at least up to the sidewalks from the street. I would request that the Village do that to all the "alleyways" in this area and future areas; and I would suggest that the Village extend that hard surface asphalt at least an additional thirty (30) feet into these "alleyways" assuring that hard surfaces extended back beyond the minimum building line set backs and avoid gravel from being swept into the streets and drainage structures.



MEMO TO

Stan Rickard

Director of Public Works

FROM

:

William T. Lichter

Village Manager

DATE

August 27, 1990

SUBJECT :

Village Alleys

Attached is a report from the Planning Department regarding alleys located in the Village of Lombard. Pursuant to my memo of August 2, 1990 (attached) please check these alleys and determine the general condition of the roadway surfaces. After receiving your information I will schedule a meeting to discuss maintenance alternatives for the alleys. Please submit the requested report by October 31.

WTL:cb

Attachment



AUG 2 2 1990 VILLAGE ADMIN. DEPT.

Date:

August 22, 1990

To:

William T. Lichter Village Manager

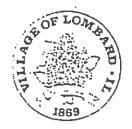
From:

Jeffrey B. Coder, AICP

Director of Planning

Subject: Listing of Alleys in Lombard

As per your request please find the attached listing. Should you have any questions regarding this information please contact Curt Mueller Environmental Code Administrator.



## MEMORANDUM.

August 20, 1990

TO: Jeffrey B. Coder, Director of Planning

FROM: Curt A. Mueller, Environmental Code

Administrator

SUBJECT:Listing of Alleys in Lombard

As you requested, attached is a listing of the location of existing paved alleys in the Village of Lombard. The location is listed by plat page and block number with a text description of the streets connected to the alley.

If you have any questions concerning the location of alleys please call me at ext. 5744.

## YORK TOWNSHIP 06

PLAT PAGE	BLOCK No.	다. 발 대한 기계
7B 7D 8A 8A 8B 8B 8B 8D 8D 8D 9B 9C 16B 16B 16B 16B 16B 16B 16B 16B 16B 16B	116	Charlotte to Martha between Maple & Randolph Parkside S. past Randolph (Charlotte & Martha) N. of Elm from Craig to Stewart Elm. to Lombard S. of Maple & between Edgewood & Lewis Between Maple & Broadway/Lewis & Lodge Between Maple & Broadway (w/jog)/Lodge & Chase Between maple & Broadway & E. from Chase Between Edgewood & Lewis (2) S. from Broadway & between Lewis & Lodge (2) between Broadway & Division & W. from Chase between Lodge & Chase

## BLOOMINGDALE TOWNSHIP

PLAT PAGE	BLOCK No.		4	
36B 36B 36B	200 201 202	between Swift	t & Helen (? village t & Helen (? village t & Helen (? village	?
		ADDISON TOWNS	SHIP	
PLAT PAGE	BLOCK No:			
32D 32D 32D 32D 32D 32D 32D 32D	406 414 416 417 418 419 420	between Fairi between Fairi between Fairi	ey & Adele  field & Kramer (S.)  field & Kramer (S.)  field & Kramer (S.)  field & Kramer (S.)  field & Kramer (S.)	
		MILTON TOWNS!	HIP	
PLAT PAGE	BLOCK No.			
12A 13A 13A 13A 13A 25A	104 111 113 115 117	between Sprin	ng & Comnor stock & Scott ng & Comnor stock & Scott	
			•	

9 (1) 32 10 1 - Wall 2 (1) 0 0 02

S

