


**ORDINANCE 7466  
PAMPHLET**

**ALLEY VACATION – 924 DIVISION STREET AND  
312 S. WESTMORE MEYERS ROAD**



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

  
Sharon Kuderna  
Village Clerk

**ORDINANCE NO. 7466**

**ORDINANCE VACATING A PORTION OF THE FIRST ALLEY  
WEST OF WESTMORE MEYERS ROAD, BETWEEN  
SOUTH BROADWAY AVENUE AND DIVISION STREET (NORTH 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 71 North of the North line of Division Street and a point 125.4 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 no abutting property owners currently take access from the SUBJECT RIGHT-OF-WAY; and

**WHEREAS**, the Corporate Authorities have determined that the SUBJECT RIGHT-OF-WAY does not serve the transportation needs of the VILLAGE; 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;

**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:

THAT PART OF THE NORTH AND SOUTH 16 FOOT ALLEY, THE NORTH TERMINUS BEING THE CENTER LINE OF THE HERETOFORE EAST AND WEST VACATED ALLEY LYING NORTH OF LOTS 23 AND 24 IN THE RESUBDIVISION OF LOTS 10 TO 27 INCLUSIVE, OF ROBERTSON'S WESTMORE RESUBDIVISION RECORDED NOVEMBER 2, 1925 AS DOCUMENT NUMBER 202421 EXTENDED EASTERLY TO THE WEST LINE OF LOT 5 IN ROBERTSON'S WESTMORE RECORDED JUNE 1<sup>ST</sup>, 1922, AS DOCUMENT NO. 156381, THE SOUTH TERMINUS BEING THE NORTH LINE OF LOT 7 IN AFORESAID ROBERTSON'S WESTMORE EXTENDED WEST TO THE EAST LINE OF LOT 23 IN THE AFORESAID ROBERTSON'S WESTMORE RESUBDIVISION OF LOTS 10 TO 27 INCLUSIVE, ALL BEING IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN 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 owners of the following parcels shall each acquire title to one half (1/2) of the vacated SUBJECT RIGHT-OF-WAY:

A. The West ½ of the vacated SUBJECT RIGHT-OF-WAY:

PIN: 06-09-303-023; Common Address: 924 Division Street, Lombard, IL 60148

B. The East ½ of the vacated SUBJECT RIGHT-OF-WAY:

PIN: 06-09-303-009; Common Address: 312 S. Westmore Avenue, 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 (¾ths) vote of the Trustees holding office, approval and publication in pamphlet form as provided by law.

Passed on first reading this \_\_\_\_ day of \_\_\_\_, 2018.

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

Passed on second reading this 18<sup>th</sup> day of January, 2018.

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

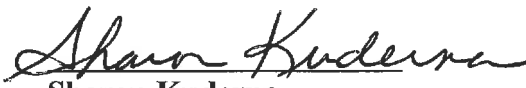
Nays: None

Absent: None

Approved this 18<sup>th</sup> day of January, 2018.

  
**Keith T. Giagnorio**  
Village President

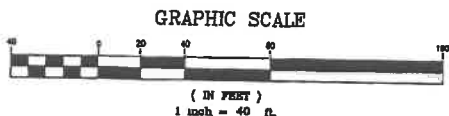
ATTEST:

  
**Sharon Kuderna**  
Village Clerk

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

  
**Sharon Kuderna**  
Village Clerk

## Exhibit “A”



# PLAT OF VACATION AND EASEMENT RETAINMENT



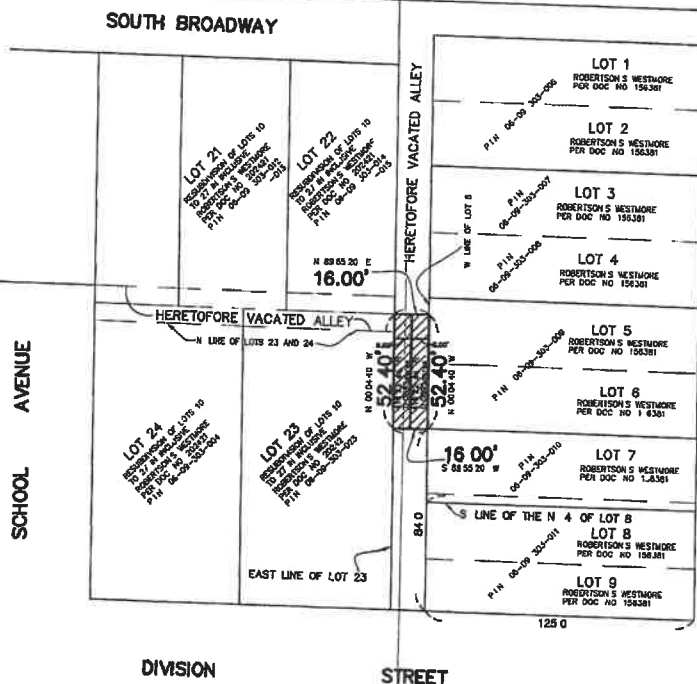
## UTILITY AND DRAINAGE EASEMENT PROMISSES

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 COMMONWEALTH EDISON COMPANY, AMERITECH, NUCOR 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 TRIM OR REMOVE ANY TREES, TEMPORARY STRUCTURES, TREES, SHRUBS OR OTHER PLANTS WITHOUT NEED FOR PROVIDING COMPENSATION THEREFOR ON THE EASEMENT 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 GRANTEEES AND THE VILLAGE OF LOMBARD OR PAGE COUNTY, ILLINOIS. WHERE A CONFLICT EXISTS BETWEEN THE 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 GRANTEEES.



16' PUBLIC ALLEY HEREBY VACATED

16' PUBLIC UTILITIES & DRAINAGE EASEMENT HEREBY RETAINED

LEGAL DESCRIPTION OF RIGHT OF WAY TO BE VACATED TO THE PROPERTY AT 924 E DIVISION STREET (P.I.N. 08-09-303-023)

THE WEST HALF OF THAT PART OF THE NORTH AND SOUTH 16 FOOT ALLEY, THE NORTH TERMINUS BEING THE CENTER LINE OF THE HERETOFORE EAST AND WEST VACATED ALLEY LYING NORTH OF LOTS 23 AND 24 IN THE RESUBDIVISION OF LOTS 10 TO 27 INCLUSIVE OF ROBERTSON'S WESTMORE RESUBDIVISION RECORDED NOVEMBER 2, 1925 AS DOCUMENT NUMBER 202421 EXTENDED EASTERLY TO THE WEST LINE OF LOT 5 IN ROBERTSON'S WESTMORE RECORDED JUNE 1ST 1922, AS DOCUMENT NO. 156381, THE SOUTH TERMINUS BEING THE NORTH LINE OF LOT 7 IN AFORESAID ROBERTSON'S WESTMORE EXTENDED WEST TO THE EAST LINE OF LOT 23 IN THE AFORESAID ROBERTSON'S WESTMORE RESUBDIVISION OF LOTS 10 TO 27 INCLUSIVE, ALL BEING IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS.

CONTAINING 419.22 sq. ft. (0.0095 acres)

LEGAL DESCRIPTION OF RIGHT OF WAY TO BE VACATED TO THE PROPERTY AT 312 S WESTMORE AVENUE (P.I.N. 08-09-303-008)

THE EAST HALF OF THAT PART OF THE NORTH AND SOUTH 16 FOOT ALLEY, THE NORTH TERMINUS BEING THE CENTER LINE OF THE HERETOFORE EAST AND WEST VACATED ALLEY LYING NORTH OF LOTS 23 AND 24 IN THE RESUBDIVISION OF LOTS 10 TO 27 INCLUSIVE OF ROBERTSON'S WESTMORE RESUBDIVISION RECORDED NOVEMBER 2, 1925 AS DOCUMENT NUMBER 202421 EXTENDED EASTERLY TO THE WEST LINE OF LOT 5 IN ROBERTSON'S WESTMORE RECORDED JUNE 1ST 1922, AS DOCUMENT NO. 156381, THE SOUTH TERMINUS BEING THE NORTH LINE OF LOT 7 IN AFORESAID ROBERTSON'S WESTMORE EXTENDED WEST TO THE EAST LINE OF LOT 23 IN THE AFORESAID ROBERTSON'S WESTMORE RESUBDIVISION OF LOTS 10 TO 27 INCLUSIVE, ALL BEING IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS.

CONTAINING 419.22 sq. ft. (0.0095 acres)

STATE OF ILLINOIS ) S.S.  
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 ) S.S.  
COUNTY OF DU PAGE )

THIS IS TO CERTIFY THAT I, JOSEPH F. GENTILE, ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER 2925 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 16 FOOT ALLEY, THE NORTH TERMINUS BEING THE CENTER LINE OF THE HERETOFORE EAST AND WEST VACATED ALLEY LYING NORTH OF LOTS 23 AND 24 IN THE RESUBDIVISION OF LOTS 10 TO 27 INCLUSIVE OF ROBERTSON'S WESTMORE RESUBDIVISION RECORDED NOVEMBER 2, 1925 AS DOCUMENT NUMBER 202421 EXTENDED EASTERLY TO THE WEST LINE OF LOT 5 IN ROBERTSON'S WESTMORE RECORDED JUNE 1ST 1922, AS DOCUMENT NO. 156381, THE SOUTH TERMINUS BEING THE NORTH LINE OF LOT 7 IN AFORESAID ROBERTSON'S WESTMORE EXTENDED WEST TO THE EAST LINE OF LOT 23 IN THE AFORESAID ROBERTSON'S WESTMORE RESUBDIVISION OF LOTS 10 TO 27 INCLUSIVE, ALL BEING IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS.

CONTAINING 838.44 sq. ft. (0.019 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. 2925  
MY LICENSE EXPIRES NOVEMBER 30, 2018

STATE OF ILLINOIS ) S.S.  
COUNTY OF DU PAGE )

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

DUPAGE COUNTY RECORDER OF DEEDS

STATE OF ILLINOIS ) S.S.  
COUNTY OF DU PAGE )

APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

PRESIDENT

VILLAGE CLERK

**G** GENTILE & ASSOCIATES, INC.  
PROFESSIONAL LAND SURVEYORS  
550 E. ST. CHARLES PLACE  
LOMBARD, ILLINOIS 60143  
PHONE (630) 918-8282



PREPARED FOR VILLAGE OF LOMBARD-DEPT. OF COMMUNITY DEVELOPMENT

DRAWN BY VAF/MMG/VF

ORDER NO. 12-20274-17 VAC N REV2

ILLINOIS PROFESSIONAL DESIGN  
FIRM LICENSE NO. 184 002870