

Ordinance No. 15-10

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, VACATING A PORTION OF THE BARRINGTON AVENUE RIGHT-OF-WAY**

WHEREAS, the Village of East Dundee, Cook and Kane Counties, Illinois (the "Village") is a duly organized and validly existing home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, 207 Barrington Avenue LLC, an Illinois limited liability company, has requested that a portion of the right-of-way of Barrington Avenue adjacent to its property (the "Barrington Avenue Portion") be vacated for use as parking spaces for its property; and,

WHEREAS, the Barrington Avenue Portion is within the corporate limits of the Village and is within its jurisdiction; and,

WHEREAS, pursuant to Section 11-91-1 of the Illinois Municipal Code the President and Board of Trustees (collectively, the "Corporate Authorities") of the Village have determined that the public interest will be subserved by vacating the Barrington Avenue Portion, all as depicted on the Plat of Vacation attached hereto as *Exhibit A*.

**NOW, THEREFORE, BE IT ORDAINED** by the Village President and Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, as follows:

*Section 1.* The above recitals are fully incorporated into this Ordinance as if fully set forth in this Section.

*Section 2.* The Corporate Authorities hereby vacate that portion of Barrington Avenue located in the Village of East Dundee, Cook and Kane Counties, Illinois, as depicted on *Exhibit A*, legally described as:

THAT PART OF BARRINGTON AVENUE IN THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 1 IN BLOCK 3 OF EDWARD'S ADDITION TO EAST DUNDEE; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 1, FOR A DISTANCE OF 107.0 FEET; THENCE SOUTHERLY, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 12.0 FEET; THENCE EASTERLY, PARALLEL TO AND 12.0 FEET DISTANCE FROM THE SOUTHERLY LINE OF SAID LOT 1, FOR A DISTANCE OF 107.0 FEET; THENCE NORTHERLY, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 12.0 FEET, TO THE POINT OF BEGINNING, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

and hereby approve the Plat of Vacation prepared by Gerald L. Heinz & Associates, Inc., dated February 24, 2015, attached hereto as *Exhibit A* and made a part hereof by reference, with the condition that the vacation shall be subject to the Village reserving an easement over, under, across, along, and upon the surface of the vacated right-of-way to install, operate, maintain and remove from time to time above ground and underground facilities and appurtenances used in

connection with the water, sanitary sewer or storm drainage systems of the Village, and any other public utilities expressly permitted by the Village.

*Section 3.* That title to the portion of Barrington Avenue vacated herein shall be acquired by the owner of the property adjacent to the vacated right-of-way with Property Index Number 03-23-303-012.

*Section 4.* This Ordinance shall be in full force and effect upon its passage, approval, and publication as provided by law.

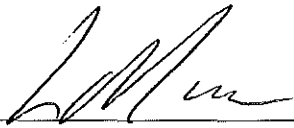
*Passed* by the Village President and the Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, this 16<sup>th</sup> day of March, A.D. 2015, pursuant to a roll call vote, as follows:

**AYES:** Trustees Lynam, Selep, Wood and Mahoney


**NAYS:** Trustees Gorman and Skillicorn

**ABSENT:** ∅

**APPROVED** by me, as Village President of the Village of East Dundee, Cook and Kane Counties, Illinois, this 16<sup>th</sup> day of March, A.D. 2015.

  
\_\_\_\_\_  
Village President

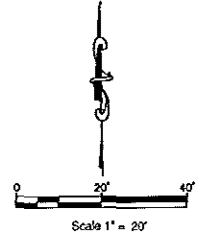
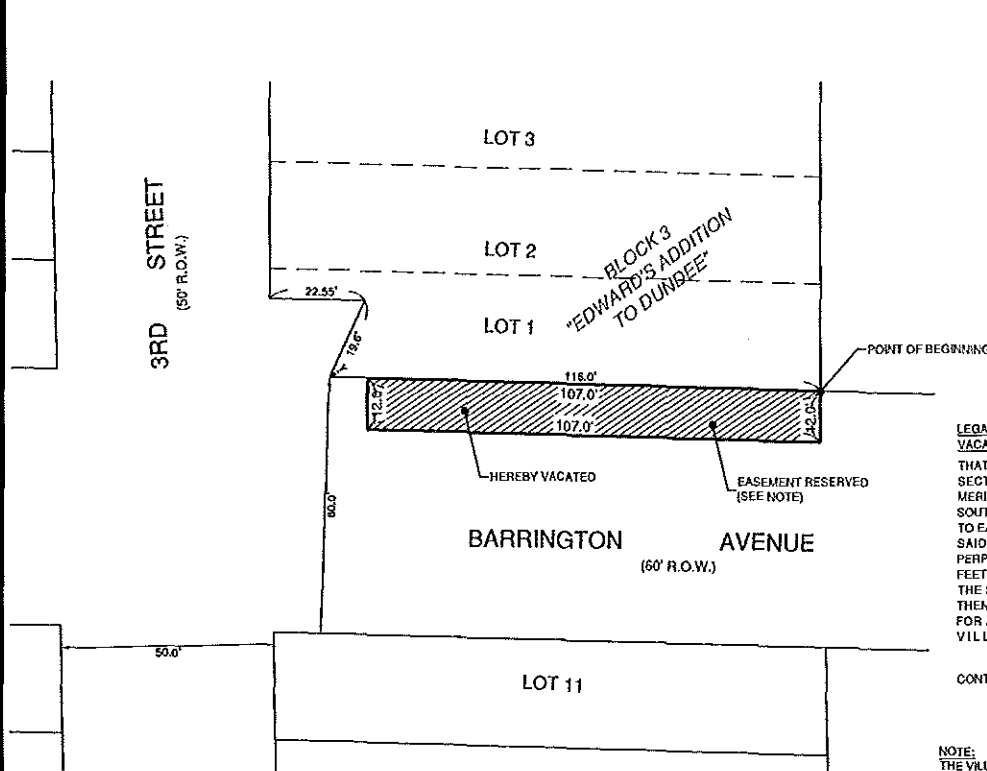
*Attest:*

  
\_\_\_\_\_  
Village Clerk

Published in pamphlet form:

March 17, 2015

# PLAT OF VACATION



**LEGAL DESCRIPTION FOR BARRINGTON AVENUE RIGHT-OF-WAY VACATION WITH RESERVATION OF EASEMENT:**

THAT PART OF BARRINGTON AVENUE IN THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 1 IN BLOCK 3 OF EDWARD'S ADDITION TO EAST DUNDEE; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 1, FOR A DISTANCE OF 107.0 FEET; THENCE SOUTHERLY, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 12.0 FEET; THENCE EASTERLY, PARALLEL TO AND 12.0 FEET DISTANCE FROM THE SOUTHERLY LINE OF SAID LOT 1, FOR A DISTANCE OF 107.0 FEET; THENCE NORTHERLY, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 12.0 FEET, TO THE POINT OF BEGINNING, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

CONTAINING 0.029 ACRES MORE OR LESS.

**NOTE:**

THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS HEREBY RESERVES AN EASEMENT OVER, UNDER, ACROSS, ALONG, AND UPON THE SURFACE OF THE VACATED RIGHT OF WAY TO INSTALL, OPERATE, MAINTAIN AND REMOVE FROM TIME TO TIME ABOVE GROUND AND UNDERGROUND FACILITIES AND APPURTENANCES USED IN CONNECTION WITH WATER, SANITARY SEWER OR STORM DRAINAGE SYSTEMS OF THE VILLAGE, AND ANY OTHER PUBLIC UTILITIES EXPRESSLY PERMITTED BY THE VILLAGE.

**COUNTY CLERK'S CERTIFICATE**

STATE OF ILLINOIS }  
COUNTY OF KANE } SS.

\_\_\_\_\_, COUNTY CLERK OF KANE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE PLAT HEREIN DRAWN. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE PLAT HEREIN DRAWN.

GIVEN UNDER MY HAND AND SEAL AT GENEVA, KANE COUNTY, ILLINOIS, THIS \_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2015.

\_\_\_\_\_  
COUNTY CLERK

**CERTIFICATE OF VACATION APPROVAL**

STATE OF ILLINOIS }  
COUNTY OF KANE } SS.

THIS PLAT OF VACATION WITH RESERVATION OF EASEMENT HAS BEEN APPROVED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, ILLINOIS AT A MEETING HELD ON THIS \_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_.

\_\_\_\_\_  
VILLAGE PRESIDENT

\_\_\_\_\_  
VILLAGE CLERK

**KANE COUNTY RECORDER'S CERTIFICATE**

STATE OF ILLINOIS }  
COUNTY OF KANE } SS.

THIS INSTRUMENT NO. \_\_\_\_\_ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF KANE COUNTY, ILLINOIS, ON THE \_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_ AT \_\_\_\_ O'CLOCK, \_\_\_\_ M.

\_\_\_\_\_  
COUNTY RECORDER

**SURVEYOR'S CERTIFICATE**

STATE OF ILLINOIS }  
COUNTY OF KANE } SS.

I, JOSEPH D. HEINZ, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3551, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN CORRECTLY REPRESENTS SAID SURVEY.

DATED AT EAST DUNDEE, ILLINOIS  
THIS 24TH DAY OF FEBRUARY, 2015. A.D.



ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3551  
LICENSE EXPIRES 11-30-16  
DESIGN FIRM REGISTRATION NO. 184-002048

GERALD L. HEINZ & ASSOCIATES, INC.  
CONSULTING ENGINEERS & LAND SURVEYORS  
206 NORTH RIVER STREET  
EAST DUNDEE, ILLINOIS 60118

PLAT OF VACATION &  
RESERVATION OF EASEMENT  
EAST DUNDEE, ILLINOIS

VILLAGE OF EAST DUNDEE

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DATE: 02/24/2015  
JOB NO.: ED-202  
SCALE: 1"=20'  
SHEET 1 OF 1