

ORDINANCE
NO. 17-06

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

WHEREAS, the Village of East Dundee, Kane and Cook Counties, Illinois (the “*Village*”), is an Illinois home rule municipality organized under the Constitution and statutes of the State of Illinois; and,

WHEREAS, Giraldo Investments, Inc., an Illinois corporation, has requested that a portion of Robert Avenue, a vacant public right-of-way, (the “*Robert Avenue Portion*”), as legally described and depicted on the “*Plat of Vacation*” attached hereto as Exhibit A, be vacated for use as a yard for its adjacent residential dwelling; and,

WHEREAS, the Robert 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 (65 ILCS 5/11-91-1) the President and the Board of Trustees (collectively, the “*Corporate Authorities*”) of the Village have determined that the public interest will be served by vacating the Robert Avenue Portion and that the public interest is further served by the entire Robert Avenue Portion being acquired by Giraldo Investments, Inc. and added to the parcel identified by Property Index Number 03-26-226-003.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of East Dundee, Kane and Cook 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 the Robert Avenue Portion located in the Village of East Dundee, Kane County, Illinois, and hereby approve the Plat of Vacation prepared by Alan J. Coulson, P.C., dated January 24, 2017 with the condition that the vacation shall be subject to the Village reserving to itself and other public utilities a public utility easement over the Robert Avenue Portion for the installation, maintenance, renewal and reconstruction of Village and public utility facilities in the vacated right-of-way.

Section 3: That the Robert Avenue Portion vacated shall be effective and acquired by Giraldo Investments, Inc., such that the Robert Avenue Portion is added to Giraldo Investments, Inc.’s adjacent property which is identified by Property Index Number of 03-26-226-003 upon complying with the conditions contained in this ordinance.

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

Adopted this 6th day of February, 2017

AYES: Trustees Gorman, Lynam, Selep, Wood and Hall

NAYS: 0

ABSENT: 0

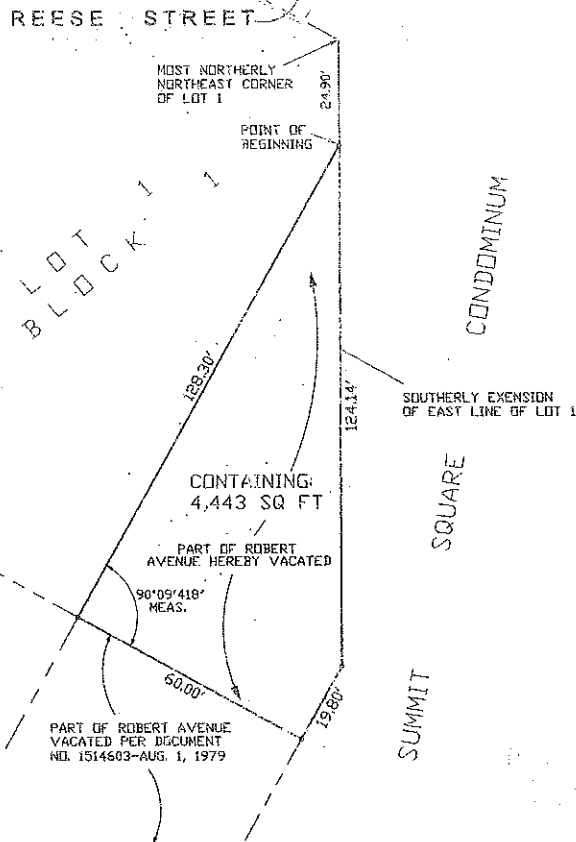
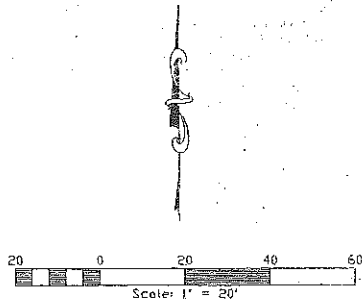
Approved this, 6th day of Feb, 2017

L Miller
Lael Miller, Village President

Attest: Katherine Holt
Katherine Holt, Village Clerk

Published in pamphlet form:
February 9, 2017

PLAT OF VACATION OF PART OF ROBERT AVENUE, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS-

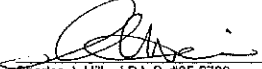


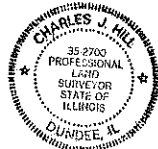
SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KANE)ss

This is to certify that I, Charles J. Hill, Illinois Professional Land Surveyor No. 35-2700 have surveyed the following described property: That part of the Robert Avenue in the Village of East Dundee described as follows: commencing at the most Northerly Northeast corner of of Lot 1 in Block 1 of Fox River Bluffs Unit 1, a subdivision of part of Sections 23 and 26, North of Higgins Road, in Township 42 North, Range 8 East of the Third Principal Meridian; thence South along the East line of said Lot 1, a distance of 24.90' to a jog in said East line to the Point of Beginning; thence South along the Southerly extension of said East line, 124.14 feet to the Southeasterly line of Robert Avenue; thence Southwesterly along said Southeasterly line 19.80 feet to the Northeast corner of that part of Robert Ave vacated by Document No. 1514603 recorded August 1, 1979; thence Northwesterly along the Northwesterly line of said vacated Robert avenue, 60.00 feet to the most Southerly corner of Lot 1 aforesaid; thence Northeasterly along the Southeasterly line of said Lot 1, 128.30' to the Point of Beginning, in Kane County, Illinois, as shown by the annexed plat which is a correct representation of said survey. All distances are shown in feet and decimal parts thereof.

Given under my hand and seal at Illinois this 24 day of JANUARY, 2017.


Charles J. Hill - I.P.L.S. #35-2700
My license expires November 20, 2018



COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KANE)es

I, _____, County Clerk of Kane County, Illinois do hereby certify that there are no delinquent general taxes, or unpaid current general taxes, no unpaid forfeited taxes and no redeemable tax sales against any of the land included in the annexed plat.
I further certify that I have received all statutory fees in connection with the annexed plat.

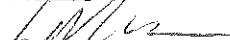
Given under my hand and seal this _____ day of _____ A.D. 2017

Dated at _____, Illinois, this _____ day of _____, 2017.

CERTIFICATE OF VACATION APPROVAL

STATE OF ILLINOIS)
COUNTY OF KANE)ss

This Plat of Vacation has been approved by the Village Board of Trustees of the Village of East Dundee, Illinois at a meeting held on this _____ day of _____, 2017

By: 
President

Attest: _____
Village Clerk

This plat is being recorded by:

Name _____
Address _____