

ORDINANCE NUMBER 11 - 05

AN ORDINANCE VACATING A PORTION OF VALLEY VIEW ROAD IN THE VILLAGE OF EAST DUNDEE, ILLINOIS TO 1851 CENTER STREET.

WHEREAS, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the Village Board of Trustees of the Village of East Dundee, pursuant to notice and pursuant to the laws of the State of Illinois, held a hearing on January 18, 2011, to consider the vacation of a portion of Valley View Road, in the Village of East Dundee, Illinois; and

WHEREAS, pursuant to said hearing, the Village Board of Trustees approved the vacation of a portion of Valley View Road, by a vote of ___ ayes, ___ nays and ___ absent; and

WHEREAS, the President and Board of Trustees of the Village of East Dundee, having determined that it is in the best interests of the health, safety and welfare of the residents of the Village of East Dundee that a portion of Valley View Road in the Village of East Dundee, Illinois, herein described, be vacated.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

Section One. That the following described portion of Valley View Road in the Village of East Dundee, Illinois, is hereby vacated:

THAT PART OF VALLEY VIEW ROAD LYING EASTERLY OF BLOCK 7, AS DEDICATED IN SECTION NO. TWO FIRST ADDITION TO LAKEWOOD LODGE ESTATES BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 14 AND OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 21, 1941 AS DOCUMENT NUMBER 474209 IN BOOK OF PLATS 26 ON PAGE 48, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 23; THENCE SOUTH ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 23, FOR A DISTANCE OF 67.45 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF SAID VALLEY VIEW ROAD; THENCE NORTHEASTERLY ON SAID SOUTHEASTERLY LINE OF SAID VALLEY VIEW ROAD A CHORD DISTANCE OF 87.73 FEET TO A POINT ON SAID SOUTHEASTERLY LINE OF SAID VALLEY VIEW ROAD 27.04 FEET SOUTHWESTERLY OF THE POINT OF TANGENCY OF A CURVE WITH A RADIUS OF 381.61 FEET AND 55.85

FEET EAST OF SAID NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 23, ALSO BEING THE NORTHEASTERLY LINE OF LOT 8 IN BLOCK 5 OF FIRST ADDITION TO UNIT 8 OF GOLF VIEW HIGHLANDS, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 14, AND PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF CARPENTERSVILLE, KANE COUNTY, ILLINOIS; THENCE WEST ALONG THE NORTHERLY LINE OF SAID SECTION 23, FOR A DISTANCE OF 55.85 FEET TO THE POINT OF BEGINNING, ALL IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS. EXCEPTING THEREFROM THAT PORTION OF SAID VALLEY VIEW ROAD LYING NORTHWESTERLY OF THE CENTERLINE OF SAID VALLEY VIEW ROAD.

Section Two. That the Plat of Vacation and Plat of Easement provided for in this Ordinance is subject to the following conditions and requirements:

A. The owner of 1851 Center Street, Carpentersville Illinois shall pay all expenses incurred by the Village to vacate the portion of Valley View Road.

Section Three. That it shall be a condition precedent to the effectiveness of this Ordinance and the recording and filing for the Plat of Vacation and Plat of Easement as provided herein that the conditions contained in this Ordinance be satisfied.

Section Four. That the Village President is hereby authorized and directed to execute the Plat of Vacation and Plat of Easement, dated _____, prepared by _____, and the Village Clerk is hereby authorized and directed to attest to the signature of the Village President. The Plat of Vacation and Plat of Easement shall be recorded in the Office of the Recorder of Deeds, Kane County, Illinois, along with a certified copy of this Ordinance and shall also be filed in the Office of the Kane County Clerk, Kane County, Illinois.

Section Five. Severability. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section Six. Repeal. All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

Section Seven. Publication. This ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 7th day of February, 2011, pursuant to a roll call vote as follows:

AYES:

7. Trustees Ruffalo, Gorman, Lynam, Miller, Cichowski, Van Ostenbridge

NAYES:

0

& President Bartels

ABSENT:

0

Approved by me this 7th day of February, 2011.

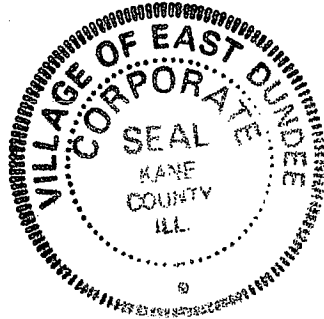
Jerald Bartels
JERALD BARTELS, President

Published in pamphlet form this 14th day of February, 2011, under the authority of the President and Board of Trustees.

ATTEST:

Jennifer Rehberg
JENNIFER REHBERG, Village Clerk

Recorded in the Village Records on Feb. 14th, 2011.



PLAT OF VACATION

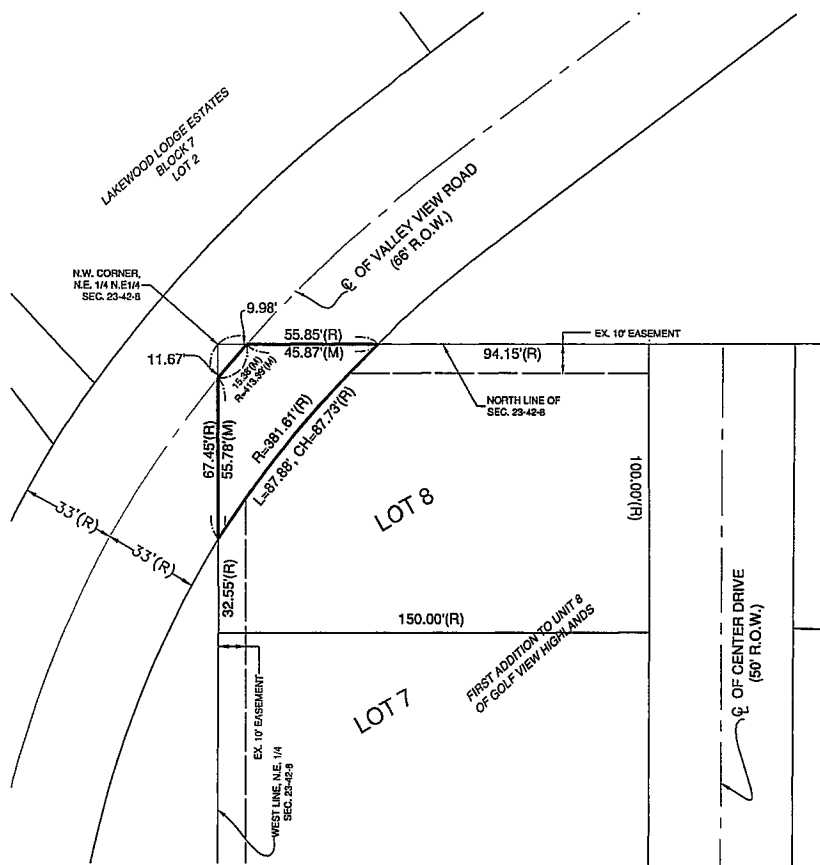
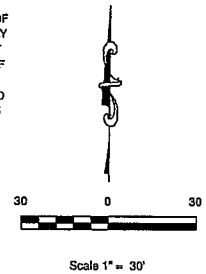
OF PROPERTY DESCRIBED AS:

THAT PART OF VALLEY VIEW ROAD LYING EASTERLY OF BLOCK 7, AS DEDICATED IN SECTION NO. TWO FIRST ADDITION TO LAKEWOOD LODGE ESTATES BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 14 AND OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 21, 1941 AS DOCUMENT NUMBER 474209 IN BOOK OF PLATS 26 ON PAGE 48, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 23; THENCE SOUTH ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 23, FOR A DISTANCE OF 67.45 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF SAID VALLEY VIEW ROAD; THENCE NORTHEASTERLY ON SAID SOUTHEASTERLY LINE OF SAID VALLEY VIEW ROAD A CHORD DISTANCE OF 87.73 FEET TO A POINT ON SAID SOUTHEASTERLY LINE OF SAID VALLEY VIEW ROAD 27.04 FEET SOUTHWESTERLY OF THE POINT OF TANGENCY OF A CURVE WITH A RADIUS OF 381.61 FEET AND 55.85 FEET EAST OF SAID NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 23, ALSO BEING THE NORTHEASTERLY LINE OF LOT 8 IN BLOCK 5 OF FIRST ADDITION TO UNIT 8 OF GOLF VIEW HIGHLANDS, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 14, AND PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF CARPENTERSVILLE, KANE COUNTY, ILLINOIS; THENCE WEST ALONG THE NORTHERLY LINE OF SAID SECTION 23, FOR A DISTANCE OF 55.85 FEET TO THE POINT OF BEGINNING, ALL IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

EXCEPTING THEREFROM THAT PORTION OF SAID VALLEY VIEW ROAD LYING NORTHWESTERLY OF THE CENTERLINE OF SAID VALLEY VIEW ROAD.

CONTAINING 0.038 ACRES MORE OR LESS.

PER ORDINANCE NO. _____



LEGEND

- (R) — INDICATES RECORD DIMENSION
- L= — INDICATES LENGTH OF CURVE
- R= — INDICATES RADIUS OF CURVE
- CH= — CHORD LENGTH
- — AREA TO BE VACATED

VILLAGE BOARD CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF KANE } SS

APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS, AT MEETING HELD, ON THIS _____ DAY OF _____, A.D., 2010 AT _____ O'CLOCK _____ M.

SIGNED: _____
PRESIDENT

ATTEST: _____
VILLAGE CLERK

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 prepared the plat hereon drawn from existing surveys and instruments of record for the purpose of vacation of use as a private street and that said plat correctly represent the property described in the above caption.

Dated at East Dundee, Illinois
this _____ day of _____, 20____ A.D.



Illinois Professional Land Surveyor No. 3551
License Expires 11-30-10
Design Firm Registration No. 184-002048

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 THIS _____ DAY OF _____ A.D., 2010 AT _____ O'CLOCK _____ M. AND RECORDED IN BOOK _____ OF PLATS, PAGE _____.

KANE COUNTY RECORDER

Note: Refer to the recorded Plat of Subdivision in the Recorder's Office of Kane County, Illinois for any easement provisions and covenants, if any, within the subject subdivision, which may effect these lots.

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

PLAT OF VACATION
VALLEY VIEW ROAD
EAST DUNDEE, ILLINOIS

VILLAGE OF EAST DUNDEE

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DATE: 11-08-2010
JOB NO.: ED-1882
SCALE: 1"=30'
SHEET 1 1