

ORDINANCE NUMBER 2020- 20

APPROVING A PLAT OF VACATION OF FIVE FOOT PUBLIC UTILITY AND DRAINAGE EASEMENTS ALONG THE SOUTH PROPERTY LINE OF LOT 37, NORTH AND SOUTH PROPERTY LINES OF LOT 36, AND NORTH PROPERTY LINE OF LOT 35 IN GROVE ESTATES SUBDIVISION ON PARCELS IDENTIFIED BY PARCEL IDENTIFICATION NUMBERS 06-08-101-021, 06-08-101-022, AND 06-08-101-023 IN NA-AU-SAY TOWNSHIP

WHEREAS, Section 7.06 of the Kendall County Subdivision Control Ordinance permits the Kendall County Board to approve plats of vacation and provides the procedure through which plats of vacation are approved; and

WHEREAS, the four five-foot public utility and drainage easements which are the subject of this Ordinance were established by Ordinance 2006-36 which granted approval of a final plat of Grove Estates Subdivision and was approved by the Kendall County Board on May 16, 2006; and

WHEREAS, the final plat of Grove Estates Subdivision was recorded in the Kendall County Recorder of Deeds Office on October 12, 2006; and

WHEREAS, the four five-foot public utility and drainage easements which are the subject of this Ordinance are located along and parallel to the south property line of Lot 37, the north and south property lines of Lot 36 and the north property line of Lot 35 in Grove Estates Subdivision. The legal descriptions of the easements are set forth in Exhibit A attached hereto and incorporated by reference; and

WHEREAS, on or about June 28, 2019, Michele and Patrick Morris acquired ownership of Lot 35 of Grove Estates Subdivision and the property identified by Parcel Identification Number 06-08-101-021; and

WHEREAS, on or about July 30, 2020, Michele and Patrick Morris acquired ownership of Lots 36 and 37 of Grove Estates Subdivision and the properties identified by Parcel Identification Numbers 06-08-101-022 and 06-08-101-023; and

WHEREAS, on or about September 10, 2020, Michele and Patrick Morris, hereinafter referred to as "Petitioner," filed a petition for approval of a plat of vacation of the five-foot public utility and drainage easements located along the south property line of Lot 37, the north and south property lines of Lot 36, and the north property line of Lot 35; and

WHEREAS, on October 6, 2020, the Kendall County Zoning, Platting and Advisory Committee has reviewed this petition and has forwarded to the Kendall County Board a recommendation of approval with conditions of the requested plat; and

WHEREAS, on October 14, 2020, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the information presented and recommendation of the Kendall County Zoning, Platting and Advisory Committee, and has forwarded to the Kendall County Board a recommendation of approval with conditions of the requested plat of vacation; and

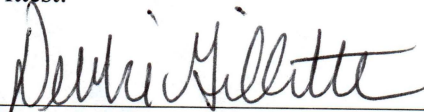
WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the recommendation of the Kendall County Zoning, Platting and Advisory Committee, and has determined that said petition is in conformance with the provisions and intent of the Kendall County

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

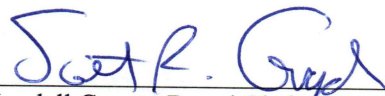
1. The Kendall County Board hereby grants approval of Petitioners' petition for plat of vacation of the easements legally described in Exhibit A attached hereto and shown on the plat of vacation attached hereto as Exhibit B.
2. Lots 35, 36, and 37 of Grove Estates Subdivision shall not be sold as individual lots upon the successful recording of the plat of vacation attached hereto as Exhibit B. Within ninety (90) days of the effective date of this ordinance, the Petitioner shall submit a parcel consolidation request to Kendall County.
3. This vacation shall become effective upon the successful recording of Exhibit B in the timeframe outlined in Section 7.06.H of the Kendall County Subdivision Control Ordinance unless an extension is granted by the Kendall County Board.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 20th day of October, 2020.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
Scott R. Gryder



Exhibit A

LEGAL DESCRIPTION OF EASEMENT ON LOT 35 TO BE VACATED:

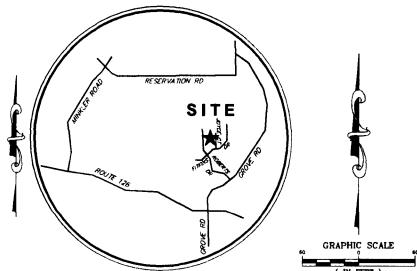
THE NORTH 5.00 FEET OF LOT 35, EXCEPT THE WEST 5.00 FEET AND EXCEPT THE EAST 10.00 FEET THEREOF, IN GROVE ESTATES, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 12, 2006 AS DOCUMENT NUMBER R200600032893, NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF EASEMENT ON LOT 36 TO BE VACATED:

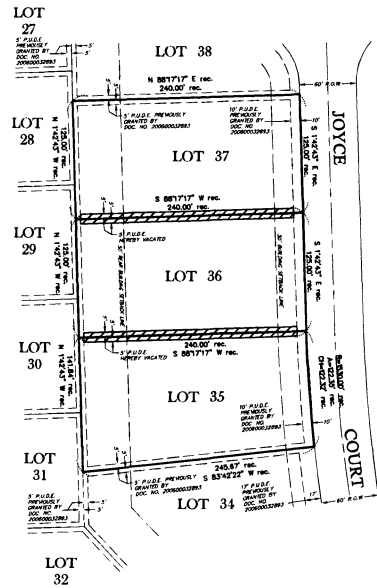
THE NORTH 5.00 FEET AND THE SOUTH 5.00 FEET OF LOT 36, EXCEPT THE WEST 5.00 FEET AND EXCEPT THE EAST 10.00 FEET THEREOF, IN GROVE ESTATES, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 12, 2006 AS DOCUMENT NUMBER R200600032893, NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF EASEMENT ON LOT 37 TO BE VACATED:

THE SOUTH 5.00 FEET OF LOT 37, EXCEPT THE WEST 5.00 FEET AND EXCEPT THE EAST 10.00 FEET THEREOF, IN GROVE ESTATES, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 12, 2006 AS DOCUMENT NUMBER R200600032893, NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS.



SITE LOCATION MAP
NOT TO SCALE



AREA TO BE VACATED	
LOT 35	1125 S.F. 0.026 ACRE
LOT 36	2250 S.F. 0.052 ACRE
LOT 37	1125 S.F. 0.026 ACRE
TOTAL	4500 S.F. 0.104 ACRE

OWNERS CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) SS

THIS IS TO CERTIFY THAT MICHELE MORRIS, AM THE OWNER OF LOTS 35, 36 AND 37 OF GROVE ESTATES, NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS AND HAVE CAUSED THE SAME TO BE PLATED AS SHOWN ON THE ANNEXED PLAT FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE AFORESAID.

DATED AT _____ ILLINOIS THIS _____ DAY OF _____ A.D. 20____

MICHELLE MORRIS _____
ADDRESS _____

NOTARY PUBLIC CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) SS

I, _____ NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY

AFORESAID, DO HEREBY CERTIFY THAT MICHELE MORRIS, WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING OWNER'S CERTIFICATE, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGE THAT SHE SIGNED AND DELIVERED THE ANNEXED PLAT FOR THE USES AND PURPOSES THEREIN SET FORTH AS HER OWN FREE AND VOLUNTARY ACT.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____ A.D. 20____

NOTARY PUBLIC _____ COMMISSION EXPIRES _____

COUNTY BOARD CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) SS

APPROVED BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS

THIS _____ DAY OF _____ A.D. 20____

CHAIRMAN OF COUNTY BOARD _____

COUNTY CLERK _____

COUNTY RECORDER CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) SS

THIS INSTRUMENT NO. _____ IN THE RECORDER'S OFFICE AT KENDALL COUNTY AFORESAID WAS FILED FOR RECORD IN THE RECORDER'S OFFICE AT KENDALL COUNTY AFORESAID

ON THE _____ DAY OF _____ A.D. 20____

AT _____ O'CLOCK, _____ M.

BY _____ KENDALL COUNTY RECORDER

VACATION OF PUBLIC UTILITY AND DRAINAGE EASEMENT

PER DOCUMENT #200600032893 INDICATED HEREON AS "HEREBY VACATED" ACCEPTED AND APPROVED

COMMONWEALTH EDISON COMPANY HEREBY CONSENTS TO SAID VACATION OF EASEMENT

THIS _____ DAY OF _____ 20____

BY: AGENT FOR COMMONWEALTH EDISON COMPANY ATTEST: _____

SEC-AMERITECH HEREBY CONSENTS TO SAID VACATION OF EASEMENT

THIS _____ DAY OF _____ 20____

BY: AGENT FOR SEC-AMERITECH ATTEST: _____

NGEE HEREBY CONSENTS TO SAID VACATION OF EASEMENT

THIS _____ DAY OF _____ 20____

BY: AGENT FOR NGEE ATTEST: _____

CABLE TELEVISION FRANCHISE HEREBY CONSENTS TO SAID VACATION OF EASEMENT

THIS _____ DAY OF _____ 20____

BY: AGENT FOR CABLE TELEVISION FRANCHISE ATTEST: _____

PROPERTIES		
LOT 35	7287 JOYCE COURT OSWEGO, IL 60543	06-08-101-021
LOT 36	7251 JOYCE COURT OSWEGO, IL 60543	06-08-101-022
LOT 37	7229 JOYCE COURT OSWEGO, IL 60543	06-08-101-023

PLAT OF VACATION

LEGAL DESCRIPTION OF EASEMENT ON LOT 35 TO BE VACATED:
THE NORTH 5.00 FEET OF LOT 35, EXCEPT THE WEST 5.00 FEET AND EXCEPT THE EAST 10.00 FEET THEREOF, IN GROVE ESTATES, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 12, 2006 AS DOCUMENT NUMBER R200600032893, NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF EASEMENT ON LOT 36 TO BE VACATED:
THE NORTH 5.00 FEET AND THE SOUTH 5.00 FEET OF LOT 36, EXCEPT THE WEST 5.00 FEET AND EXCEPT THE EAST 10.00 FEET THEREOF, IN GROVE ESTATES, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 12, 2006 AS DOCUMENT NUMBER R200600032893, NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF EASEMENT ON LOT 37 TO BE VACATED:
THE SOUTH 5.00 FEET OF LOT 37, EXCEPT THE WEST 5.00 FEET AND EXCEPT THE EAST 10.00 FEET THEREOF, IN GROVE ESTATES, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 12, 2006 AS DOCUMENT NUMBER R200600032893, NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS.

REVISIONS			
NO.	DATE	DESCRIPTION	BY

	Ruettinger, Tonelli & Associates, Inc. Registered Professional Land Surveyors 139 CARPENTER DRIVE - BROADWOOD, ILLINOIS 60044 TEL: 815/350-0400 FAX: 815/350-0401 www.ruettinger.com	
	DATE: 9-3-2009 SCALE: 1" = 60' PREPARED FOR: MICHELE MORRIS 137 AIRPORT DRIVE UNIT 6 JOLETT, ILLINOIS 60431	DRAWN BY: eph FIELD BOOK: _____ PAGES: _____ CHECKED BY: DJZ
DRAWING TITLE: PLAT OF VACATION		DRAWING NO.: 320-0045-V

STATE OF ILLINOIS)
COUNTY OF WELLS) SS

RUETTINGER, TONELLI & ASSOCIATES, INC., ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-001251, HEREBY CERTIFIES THAT IT HAS PLATED THE PROPERTY DESCRIBED IN THE ABOVE CAPTION AND AS SHOWN ON THE ANNEXED PLAT WHICH IS A TRUE AND CORRECT REPRESENTATION OF SAID LEGAL DESCRIPTIONS GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____

BY: _____ ILLINOIS PROFESSIONAL LAND SURVEYOR (MY LICENSE EXPIRES 11-30-2010) IS UNDER A CONTRACT OF THIS DRAWING. IT MUST BEAR THE APPROVED SEAL OF THE DESIGN FIRM OF PROFESSIONAL LICENSEE WHO PREPARED THIS DRAWING.

ANY DISCREPANCY IN MEASUREMENT INDICATED UPON THE GROUND SHOULD BE PROMPTLY REPORTED TO THE SURVEYOR FOR CORRECTION. FOR BUILDING LINE AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR ABSTRACT, DEED, CONTRACTS AND ZONING ORDINANCE.