

ORDINANCE NUMBER 2022-12

APPROVING A PLAT OF VACATION OF FIVE FOOT PUBLIC UTILITY AND DRAINAGE EASEMENTS ALONG THE EAST PROPERTY LINE OF LOT 12 AND WEST PROPERTY LINE OF LOT 13 IN GROVE ESTATES SUBDIVISION ON PARCELS IDENTIFIED BY PARCEL IDENTIFICATION NUMBERS 06-08-150-001 AND 06-08-150-002 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 two 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 two five-foot public utility and drainage easements which are the subject of this Ordinance are located along and parallel to the east property line of Lot 12 and the west property line of Lot 13 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 February 12, 2021, Eric and Lisa Weires acquired ownership of Lots 12 and 13 of Grove Estates Subdivision and the property identified by Parcel Identification Numbers 06-08-150-001 and 06-08-150-002; and

WHEREAS, on or about March 18, 2022, Eric and Lisa Weires, working with Jonathan A. Bieritz of JB Architecture Group, Inc, collectively hereinafter referred to as "Petitioners," filed a petition for approval of a plat of vacation of the five-foot public utility and drainage easements located along the east property line of Lot 12 and the west property line of Lot 13 in Grove Estates Subdivision; and

WHEREAS, on April 5, 2022, the Kendall County Zoning, Platting and Advisory Committee reviewed this petition and has forwarded to the Kendall County Board a recommendation of approval with conditions of the requested plat; and

WHEREAS, on April 11, 2022, 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 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 Zoning Subdivision Control Ordinance and other applicable Ordinances; and

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 12 and 13 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 Petitioners 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 19th day of April, 2022.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
Scott R. Gryder

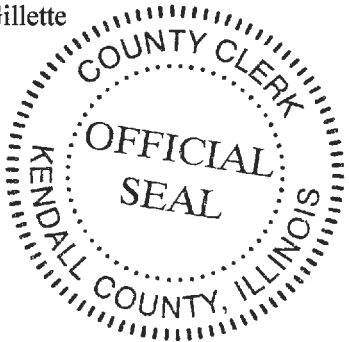


Exhibit A

LEGAL DESCRIPTION OF PUBLIC UTILITY & DRAINAGE EASEMENT ON LOT 12 IN THE GROVE ESTATES SUBDIVISION IN KENDALL COUNTY TO BE VACATED:

THE EASTERLY 5.00 FEET OF LOT 12 (EXCEPT THE NORTHERLY 5.00 FEET THEREOF AND ALSO EXCEPT THE SOUTHERLY 10.00 FEET THEREOF), IN GROVE ESTATES, BEING A SUBDIVISION IN PART OF THE WEST HALF OF SECTION 8, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT NO. 2006-32893, IN KENDALL COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF PUBLIC UTILITY & DRAINAGE EASEMENT ON LOT 13 IN THE GROVE ESTATES SUBDIVISION IN KENDALL COUNTY TO BE VACATED:

THE WESTERLY 5.00 FEET OF LOT 13 (EXCEPT THE NORTHERLY 5.00 FEET THEREOF AND ALSO EXCEPT THE SOUTHERLY 10.00 FEET THEREOF), IN GROVE ESTATES, BEING A SUBDIVISION IN PART OF THE WEST HALF OF SECTION 8, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT NO. 2006-32893, IN KENDALL COUNTY, ILLINOIS.

AREA TO BE VACATED

PUBLIC UTILITY & DRAINAGE EASEMENT ON LOT 12 = 1158.66 SQ. FT. = 0.02659 ACRES

PUBLIC UTILITY & DRAINAGE EASEMENT ON LOT 13 = 1154.74 SQ. FT. = 0.02649 ACRES

