

ORDINANCE NUMBER 2024- 01

APPROVING A PLAT OF VACATION OF FIVE FOOT PUBLIC UTILITY AND DRAINAGE EASEMENTS ALONG THE SOUTH PROPERTY LINE OF LOT 27 AND NORTH PROPERTY LINE OF LOT 28 IN GROVE ESTATES SUBDIVISION ON PARCELS IDENTIFIED BY PARCEL IDENTIFICATION NUMBERS 06-08-101-013 AND 06-08-101-014 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 south property line of Lot 27 and the north property line of Lot 28 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, Jorge A. and Hilda G. Montes, hereinafter referred to as "Petitioners," acquired ownership of Lot 27 of Grove Estates Subdivision and the property is identified by Parcel Identification Number 06-08-101-013; and

WHEREAS, on or about May 8, 2023, Petitioners acquired ownership of Lot 28 of Grove Estates Subdivision and the property is identified by Parcel Identification Number 06-08-101-014; and

WHEREAS, on or about October 31, 2023, Petitioners' Attorney 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 27 and the north property line of Lot 28 in Grove Estates Subdivision; and

WHEREAS, on December 5, 2023, the Kendall County Zoning, Platting and Advisory Committee reviewed this petition and has forwarded to the Kendall County Board a recommendation of approval of the requested plat; and

WHEREAS, on January 8, 2024, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board 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 27 and 28 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 16th day of January, 2024.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
Matt Kellogg



Exhibit A

LEGAL DESCRIPTION OF EASEMENT TO BE VACATED:

The Southerly 5.0 feet of Lot 27 (except the Easterly 5.0 feet and the Westerly 10.0 feet thereof) and the Northerly 5.0 feet of Lot 28 (except the Easterly 5.0 feet and the Westerly 10.0 feet thereof) all 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 October 12, 2006 as Document No. 200600032893 in Kendall County, Illinois.

Exhibit B

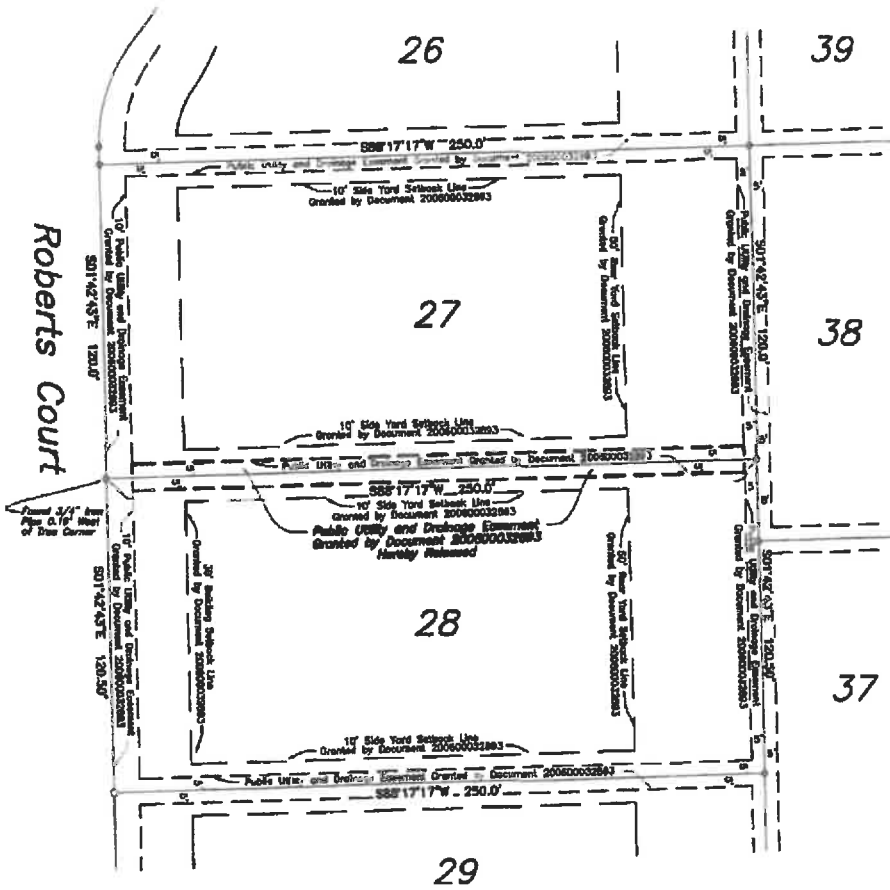
PLAT OF EASEMENT RELEASE
PART OF LOTS 27 AND 28 GROVE ESTATES
NA-AU-SAY TOWNSHIP KENDALL COUNTY ILLINOIS

SCALE
1"=30'

- Indicates Iron Stake Found
- Indicates Iron Stake Set
- X Indicates Cross In Concrete

PROPERTY LOCATION:

PK# 08-08-101-013
08-08-101-014
7180/7216 Roberts Court
Gagego, Illinois 60543



Commonwealth Edison Company

The Release of the Easements shown hereon are approved and accepted,

this ___ day of _____ A.D. 20__

By: _____
Signature

By: _____
Print Name

Title: _____

Amartech

The Release of the Easements shown hereon are approved and accepted,

this ___ day of _____ A.D. 20__

By: _____
Signature

By: _____
Print Name

Title: _____

Comcast

The Release of the Easements shown hereon are approved and accepted,

this ___ day of _____ A.D. 20__

By: _____
Signature

By: _____
Print Name

Title: _____

Nicor

The Release of the Easements shown hereon are approved and accepted,

this ___ day of _____ A.D. 20__

By: _____
Signature

By: _____
Print Name

Title: _____

OWNER'S CERTIFICATE

State of Illinois } SS
County of Kendall }

This is to certify that we, Jorge A. Montes and Hilda G. Montes, are the owners of the property described hereon, and do willingly accept and approve the easement release described hereon.

Dated at _____, Illinois
this ___ day of _____, A.D. 20__

Jorge A. Montes

Hilda G. Montes

COUNTY BOARD CERTIFICATE

State of Illinois } SS
County of Kendall }

Approved by the County Board of Kendall County, Illinois,
this ___ day of _____, A.D. 20__

Chairman of County Board

County Clerk

LEGAL DESCRIPTION OF EASEMENT TO BE RELEASED:

The Southern 8.0 feet of Lot 27 (except the Eastern 5.0 feet and the Western 10.0 feet thereof) and the Northern 5.0 feet of Lot 28 (except the Eastern 5.0 feet and the Western 10.0 feet thereof) all in Grove Estates, being a Subdivision in Part of the West Half of Section 8, Township 38 North, Range 8 East of the Third Principal Meridian, according to the Plat thereof recorded October 12, 2006 as Document No. 200600032893 in Kendall County, Illinois.

SURVEYOR'S CERTIFICATE

State of Illinois } SS
County of Kendall }

I, Philip D. Young, an Illinois Professional Land Surveyor and an officer of Phillip D. Young and Associates, Inc., state that I have prepared this Plat of Easement Release for the property described hereon.

Dated October 25, 2023 at Yorkville, Illinois

Philip D. Young
Illinois Professional Land Surveyor No. 2878
(Expires 11/30/24)



NOTARY'S CERTIFICATE

State of Illinois } SS
County of Kendall }

I, _____ a Notary Public in and for the County and State aforesaid, do hereby certify that Jorge A. Montes and Hilda G. Montes, who are personally known to me to be the same persons whose names are subscribed to the foregoing Owner's Certificate, appeared before me this day, in person, and acknowledged the execution of the annexed Plat and accompanying instruments for the uses and purposes therein set forth as their own free and voluntary act.

Given under my hand and notarial seal,
this ___ day of _____, A.D. 20__

Notary Public
My commission expires _____

COUNTY RECORDER CERTIFICATE

State of Illinois } SS
County of Kendall }

This instrument No. _____ was filed for record in the Recorder's Office of Kendall County, Illinois, on the ___ day of _____, A.D. 20__ at _____ o'clock _____ M.

Kendall County Recorder

JOB NO. 23137
JOB NAME MONTES
DWG FILE 23137B

Phillip D. Young and Associates, Inc.
LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic. #184-002775

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