

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
APRIL 5, 2011 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Vacation of Easements and Acceptance of Easement	<ul style="list-style-type: none"> ✓ Resolution Ordinance Motion Discussion Only 	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

A resolution has been prepared to authorize vacation of easements reserved for retention and detention and acceptance of a public utility and drainage easement for the property located at 5101 Thatcher Road.

STRATEGIC PLAN ALIGNMENT

The Goals for 2011 to 2018 include *Top Quality Infrastructure*.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval on April 12, 2011 active agenda.

BACKGROUND

The petitioner is requesting vacation of existing public utility and stormwater easements and is proposing to replace them with new public utility and stormwater easements. The request will allow for construction of a building addition for the property located at 5101 Thatcher Road.

On February 8, 2011, the Village Council approved a lot consolidation and rezoning for the property at 5101 Thatcher Road to accommodate an addition to the existing building on the property currently occupied by Neuco Inc, a distributor of HVAC control systems. The building addition will replace the existing detention basin on the property and will include an underground stormwater detention facility and a two-story commercial building with parking on the first floor and offices on the second floor.

The property owner has requested that the Village vacate (eliminate) the existing stormwater easement which covers the existing stormwater detention basin and portions of the existing ten-foot wide public utility and drainage easement running north-south immediately west of the proposed building addition. In their place, the petitioner is proposing to grant a new stormwater easement covering the entire proposed underground detention facility with access to Hitchcock Avenue and a new ten-foot wide public utility and drainage easement along the south, east and north property lines. Any existing utilities will be relocated to the proposed ten-foot wide easement along the south and east lot lines.

The underground stormwater detention facility will contain the volume currently held in the detention basin as well as the additional detention volume required for the building addition. Village staff reviewed the applicant's engineering plans and calculations. Based on the Village's review of this information, the proposed facility will provide the required detention volume. As such, the proposal will meet all requirements of the stormwater ordinance.

The Village has determined that vacating the existing easements will not adversely affect the Village and that the proposed easements would be sufficient for any future needs.

ATTACHMENTS

Resolution

Plat of Easement and Plat of Easement Vacation dated February 22, 2011

RESOLUTION NO. _____

**A RESOLUTION VACATING A CERTAIN
PORTION OF PUBLIC EASEMENTS AND ACCEPTING A PUBLIC EASEMENT LOCATED
AT 5101 THATCHER ROAD
IN THE VILLAGE OF DOWNERS GROVE**

WHEREAS, it has been determined by the Council of the Village of Downers Grove in DuPage County, Illinois, that it is in the public interest to vacate a certain portion of public easements in said Village hereinafter more particularly described; and

WHEREAS, the Village Council, after due investigation and consideration, has determined that there is no evidence of significant Village use of these portions of the public easement;

WHEREAS, the Village Council, after due investigation and consideration, has determined that the nature and extent of the public use and the public interest to be served is such as to warrant the vacation of said public easements,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Downers Grove, in DuPage County, Illinois, as follows:

SECTION 1. That portion of the public utilities and stormwater detention easements on Lot 1 of the Neuco Subdivision:

LOT 4 (EXCEPT THE NORTHERLY 7.00 FEET, AS MEASURED ON THE EASTERLY AND WESTERLY LINES THEREOF) IN TRACT 4 OF CHARLES H. SCHMITT'S RESUBDIVISION OF THE NORTH HALF OF LOT 19 IN ARTHUR T. MCINTOSH AND COMPANY'S FIRST ADDITION TO BELMONT, A SUBDIVISION IN SECTIONS 1, 2 11, AND 12, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED ON JULY 14, 1947 AS DOCUMENT 524914 AND ALSO ACCORDING TO THE PLATE OF EASEMENT FOR A STORM WATER DETENTION AREA AND SIDEWALK EASEMENT RECORDED OCTOBER 11, 1996 AS DOCUMENT R96-168084 IN DUPAGE COUNTY, ILLINOIS

ALONG WITH

THE EAST 10 FEET, AS MEASURED PERPENDICULAR TO THE EAST LINE OF LOT 46 IN ELLSWORTH PARK UNIT SIX, BEING A SUBDIVISION IN PART OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 16, 1975 AS DOCUMENT R75-70358

ALONG WITH

THE EAST 10 FEET, AS MEASURED PERPENDICULAR TO THE EAST LINE OF LOT 46 IN ELLSWORTH PARK UNIT SIX, BEING A SUBDIVISION IN PART OF THE

SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 16, 1975 AS DOCUMENT R75-70358 AND ALSO ACCORDING TO THE PLAT OF ABROGATION OF A STORM WATER DETENTION AREA EASEMENT RECORDED OCTOBER 11, 1996 as DOCUMENT R96-168083 IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 5101 Thatcher Road; PIN 08-11-408-025

(hereinafter referred to as the "Vacated Public Easements"), is hereby vacated and closed, and that it is hereby declared that the same is no longer required for public use and that the public interest will be served by such vacation.

SECTION 2. That a public utility and drainage easement shall be granted to the Village and is legally described in the Plat of Easement and Plat of Easement Vacation in lieu of the vacated public easements contained herein.

SECTION 3. That the Mayor and Clerk of the Village of Downers Grove are hereby authorized to sign the Plat of Easement and Plat of Easement Vacation described herein.

SECTION 4. That a certified copy of this resolution and an accurate map of the plat of easement and plat of easement vacation shall be filed for record by the Clerk of the Village of Downers Grove in the Office of the Recorder of Deeds, DuPage County, Illinois at the expense of the Owner of Record.

SECTION 5. That all resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed.

SECTION 6. That this resolution shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

Mayor

Passed:

Published:

Attest: _____

Village Clerk



ROAKE AND ASSOCIATES, INC.
CONSULTING ENGINEERS - LAND SURVEYORS - PLANNERS
1984 QUINCY AVENUE, SUITE 100A - NAPERVILLE, ILLINOIS 60560
TEL: (630) 960-9292 • FAX: (630) 960-9297

BRU INVESTMENTS, LLC
5101 THATCHER ROAD
DOWNERS GROVE, ILLINOIS 60515
TEL: (630) 960-3800
TEL: (630) 960-3830

LEGEND

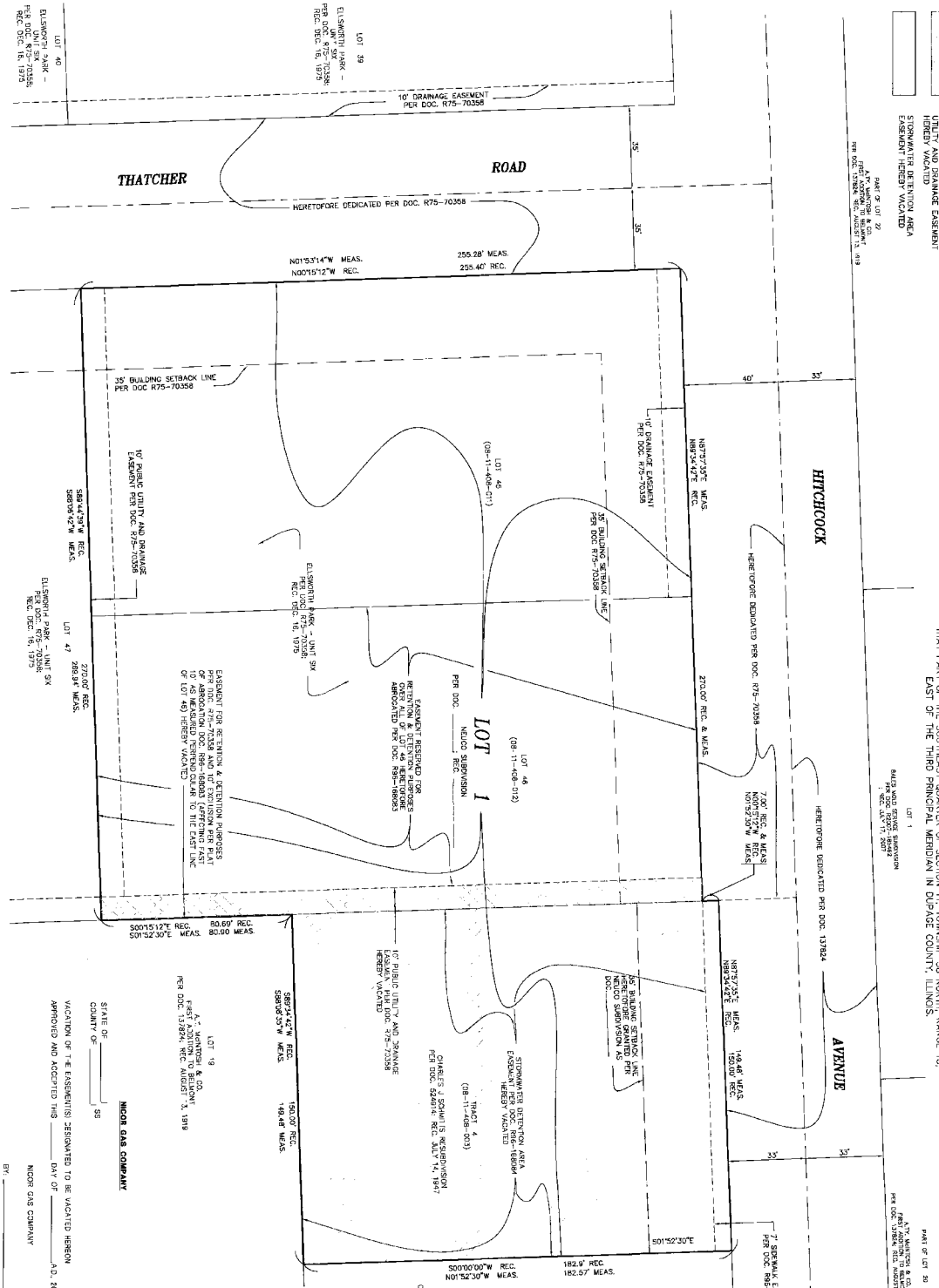
---	SUBDIVISION BOUNDARY
---	EXISTING LOT LINE
---	PROPOSED LOT LINE
---	BOUNDED LOT LINE
---	BOUNDED SECTION LINE
---	SECTION LINE
---	EXISTING RECORDS FOR RETENTION
---	& DESIGNATION PURPOSES AND PUBLIC
---	UTILITY AND EASEMENT
---	STIPULATED EASEMENT AREA
---	EASEMENT HEREBY VACATED

ABBREVIATIONS

REC.	RECORD DATA
M.S.D.	MEASURED DATA
C.	CALCULATED DATA
R.	REBUILT
A.	ASCE DATA
P.W.	PROPERTY LINE
C.	CENTRELINE
P.O.	PROPOSED
D.	DRAINAGE EASEMENT

PLAT OF EASEMENT AND PLAT OF EASEMENT VACATION

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 38 NORTH, RANGE 10,
EAST OF THE THIRD PRINCIPAL MERIDIAN IN DEPAGE COUNTY, ILLINOIS.



THIS PLAT HAS BEEN SUBMITTED FOR
RECORDING BY AND RETURN TO:
COUNTY CLERK OF DEPAGE COUNTY
ADDRESS: VILLAGE OF DOWNERS GROVE
DOWNERS GROVE, ILLINOIS 60509

UNDEVELOPED PLOTS: 08-11-408-003
08-11-408-011
08-11-408-012

ADDRESS: 501 THATCHER ROAD
DOWNERS GROVE, ILLINOIS 60515



LOT 46
(28-11-408-012)
EASEMENT FOR RETENTION & DETENTION PURPOSES
ON THE PART OF LOT 46 HEREBY
RESIGNED TO BE VACATED HERON
APPROVED AND ACCEPTED THIS _____ DAY OF _____ A.D. 20____

LOT 47
(28-11-408-013)
EASEMENT FOR RETENTION & DETENTION PURPOSES
ON THE PART OF LOT 47 HEREBY
RESIGNED TO BE VACATED HERON
APPROVED AND ACCEPTED THIS _____ DAY OF _____ A.D. 20____

LOT 48
(28-11-408-014)
EASEMENT FOR RETENTION & DETENTION PURPOSES
ON THE PART OF LOT 48 HEREBY
RESIGNED TO BE VACATED HERON
APPROVED AND ACCEPTED THIS _____ DAY OF _____ A.D. 20____

NEUCO GAS COMPANY
STATE OF _____ SS
COUNTY OF _____

COMMONWEALTH ENERGY COMPANY
STATE OF _____ SS
COUNTY OF _____

AT&T
STATE OF _____ SS
COUNTY OF _____

CONCAST
STATE OF _____ SS
COUNTY OF _____

NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION
03/18/2011	NO REV. THIS SHEET				

PLAT OF EASEMENT AND PLAT OF EASEMENT VACATION			
REV.	DATE	BY	REVISION
1	02/22/11	SS	
3			

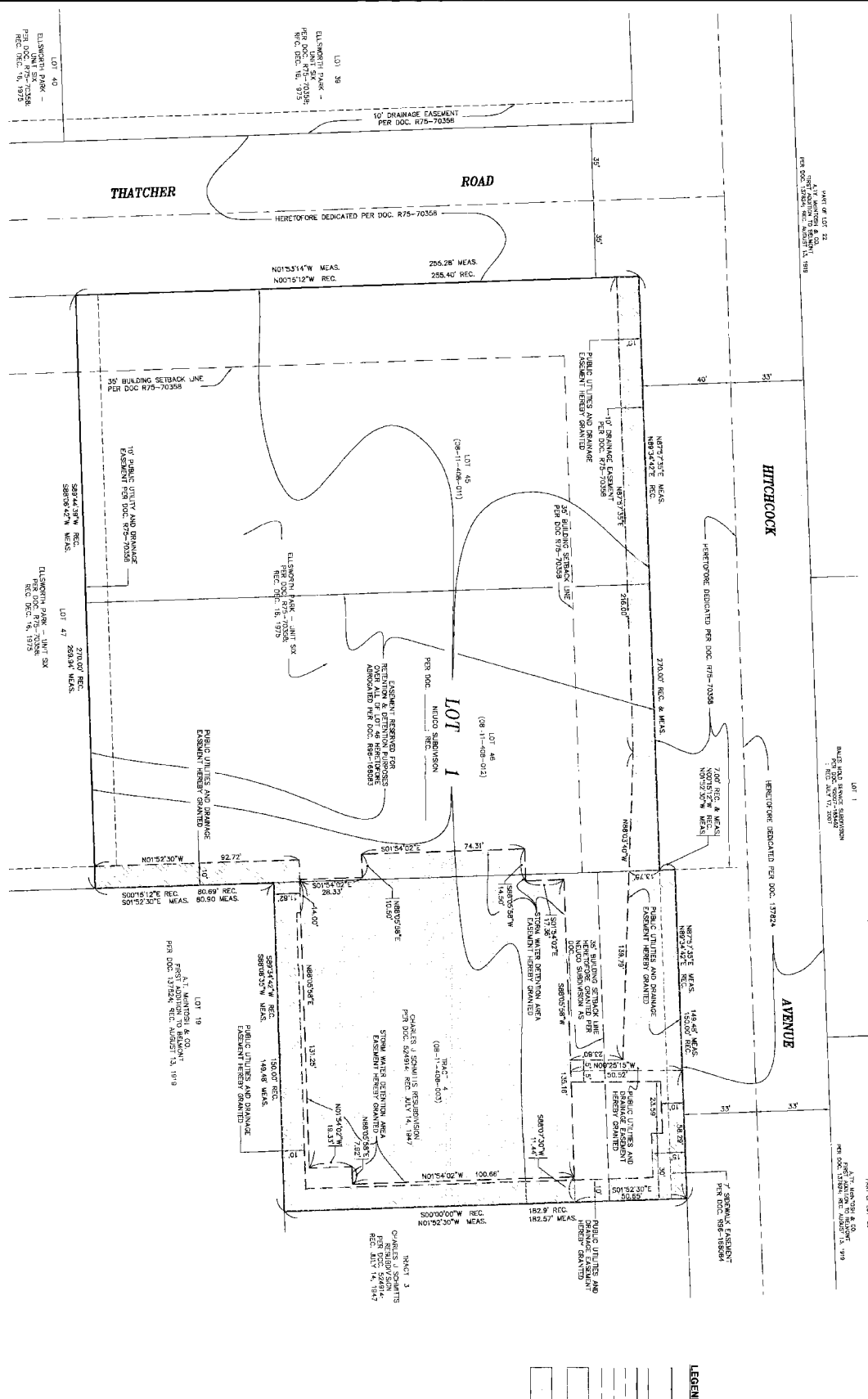
PLAT OF EASEMENT AND PLAT OF EASEMENT VACATION

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 28 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS.

THIS PLAT HAS BEEN SUBMITTED FOR RECORDING BY AND RETURN TO:
ROAKE AND ASSOCIATES, INC.
 CONSULTING ENGINEERS • LAND SURVEYORS • PLANNERS
 ADDRESS: 501 THATCHER ROAD
 DOWNERS GROVE, ILLINOIS 60515

UNDERLYING PINS 08-11-408-003
 08-11-408-011
 08-11-408-012

ADDRESS: 501 THATCHER ROAD
 DOWNERS GROVE, ILLINOIS 60515



ROAKE AND ASSOCIATES, INC.
 CONSULTING ENGINEERS • LAND SURVEYORS • PLANNERS
 1004 N. NAPER AVENUE, SUITE 1004 • NAPERVILLE, ILLINOIS 60540
 TEL: (630) 866-3232 • FAX: (630) 866-3247

BPJ INVESTMENTS, LLC
 501 THATCHER ROAD
 DOWNERS GROVE, ILLINOIS 60515
 TEL: (630) 960-3000
 TEL: (630) 960-3330

NO.	DATE	DESCRIPTION	REVISION	DATE	DESCRIPTION
1	07/16/2011	REV. E.C. WILLIAMS, L.S., R.L.S.			

LOT 1 - NEUCO SUBDIVISION
 PLAT OF EASEMENT AND PLAT OF EASEMENT VACATION
 DATE: 07/22/11
 SHEET NO. 2 OF 3

