

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL WORKSHOP
SEPTEMBER 13, 2011 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Right of Way Vacation 4720 Florence Avenue	Resolution ✓ Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

An ordinance has been prepared vacating a 16-foot wide by 102-foot long portion of an unimproved alley right of way adjacent to the property at 4720 Florence Avenue.

STRATEGIC PLAN ALIGNMENT

The Goals for 2011 to 2018 include *Exceptional Municipal Services*.

FISCAL IMPACT

Per the Village Council policy, the petitioner should compensate the Village for the vacated property. Staff estimates the fair market value of the property to be \$3,155.75 for the entire alley to be vacated.

The fair market value is based on the latest assessment of land adjacent to the right-of-way. The value of the land would be discounted because the entire piece of land would be encumbered by an easement. The table below summarizes the estimated value:

Property Address	Land Value	Lot Size (Square Feet)	Square Foot Land Value	SF of Alley to be vacated	Estimated Value	Encumbered Value
4720 Florence Avenue	\$ 74,710	12,750	\$ 5.86	1,632	\$ 9,562.88	\$ 3,155.75

UPDATE & RECOMMENDATION

This item was discussed at the September 6, 2011 Village Council meeting. Staff recommends approval on the September 13, 2011 Active Agenda.

BACKGROUND

The property owner at 4720 Florence Avenue is requesting the Village vacate the 16-foot wide by 102-foot deep alley that is immediately adjacent to and west of their property. The alley right-of-way is currently unimproved and covered in turf. The entire 1,632 square foot alley right-of-way would be vacated to the property owner at 4720 Florence Avenue.

Per the Village's Right-of-Way Vacation Policy (Resolution #2003-58), staff contacted the utility companies and outside public agencies (including the Police, Fire and Public Works Departments, School Districts, Sanitary District and Downers Grove Park District) to determine if any rights to the public right-

of-way should be retained. The right of way contains overhead utility lines and buried cable. There are no other known utilities in the right-of-way.

Staff is recommending retaining a public drainage, utility and utility access easement over the entire right of way being vacated. The easement provisions will provide adequate space for any future utility maintenance and needs. Except for a driveway, a fence and/or landscaping, future construction within the vacated property will be prohibited. The petitioners have been informed of this requirement and do not object to it.

The Village's Right-of-Way Vacation Policy permits the Village to vacate a right-of-way if two property owners provide written consent and if it is determined that public interests would not be harmed if the right-of-way is vacated. In this case, there are two consenting property owners and public utility interests will be addressed through the dedication of a public drainage, utility and utility access easement over the entire vacated alley. The Plan Commission found that these requirements were met by this petition.

The Plan Commission considered the petition at their August 1, 2011 meeting. No public comments were received at the hearing. The Plan Commission found that there were no public interests harmed by the vacation of the property and recommended approval of the vacation. Staff concurs.

ATTACHMENTS

Aerial Map

Ordinance

Plat of Vacation

Staff Report with attachments dated August 1, 2011

Minutes of the Plan Commission Hearing dated August 1, 2011

ORDINANCE NO. _____

**AN ORDINANCE VACATING A CERTAIN PORTION OF A
RIGHT-OF-WAY LOCATED ADJACENT TO 4720 FLORENCE AVENUE
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 a 102-foot deep by 16-foot wide alley right-of-way adjacent to the property located at 4720 Florence Avenue, Downers Grove, Illinois, in said Village hereinafter more particularly described; and

WHEREAS, there are certain public service facilities situated in said portion of said right-of-way, and the Village Council has determined that it is necessary and in the public interest to reserve such rights-of-way and easements as are in the judgment of the Council necessary or desirable for continuing public service by means of those facilities and for the maintenance, renewal and reconstruction thereof; and

WHEREAS, the required public notice has been given and a public hearing respecting said vacation has been conducted in accordance with applicable law; and

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 portion of said right-of-way.

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

SECTION 1. That the following described property, to wit:

The south 102 feet of the unimproved 16-foot wide alley right-of-way immediately west of and adjacent to Lots 6, 7 and 8 in Block 7 in Worley's Subdivision, being a subdivision in the southwest quarter of Section 4, and in the northwest quarter of Section 9, Township 38 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded June 10, 1890 as Document 42864, and re-recorded June 1, 1908 as Document 93656, in DuPage County, Illinois, commonly known as 4720 Florence Avenue, Downers Grove, IL (PIN 09-09-100-027).

(hereinafter referred to as the "Vacated Right-of-Way"), is hereby vacated, 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. Easements are hereby reserved for and granted to the Village of Downers Grove, County of DuPage, and to utility companies operating under franchise from the said Village including, but not limited to, AT&T, Commonwealth Edison Company, Comcast, the Downers Grove Sanitary District and their respective successors and assigns jointly and severally, over all of the areas marked "Public Utilities and/or Access Easement" on the plat of vacation of the Vacated Right-of-Way as described herein for the perpetual right, privilege and authority to construct, reconstruct, repair, inspect, maintain and operate various utility transmission and distribution systems and community antenna televisions systems and all necessary connections, appliances and other structures and appurtenances as may be deemed necessary by said Village and for any and all municipal purposes, over, upon, along, under and through said indicated easements, together with right of access across the property to do any of the above work. The right is also granted to cut down, trim or remove any trees, shrubs or other plants that interfere with the operation of the utilities. No permanent buildings or structures shall be placed on said easements, but same may be used for gardens,

shrubs, landscaping, driveways, fences and other purposes that do not then or later interfere with the aforesaid uses and rights. All installations shall be subject to the ordinances of the Village of Downers Grove. Easements are hereby reserved for and granted to the Village of Downers Grove and other governmental authorities having jurisdiction of the land over the entire easement area for ingress, egress and the performance of any and all municipal and other governmental services.

SECTION 3. This vacation shall be subject to the following conditions:

1. The vacation shall substantially conform to the staff report dated August 1, 2011.
2. Prior to final Village Council consideration, a Mylar copy of the Final Plat of Vacation indicating a sixteen-foot public drainage, utility and utility access easement along the entire length and width of the alley to be vacated.
3. Prior to execution of the plat, the petitioner shall pay the Village a total of \$3,155.75.

SECTION 4. That the Mayor and Clerk of the Village of Downers Grove are hereby authorized to sign the plat of vacation of the Vacated Right-of-Way described herein.

SECTION 5. That a certified copy of this ordinance and an accurate Plat of the Vacated Right-of-Way, which specifically includes the easement language contained in Section 2 of this ordinance, 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 Petitioner's expense.

SECTION 6. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 7. That this ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

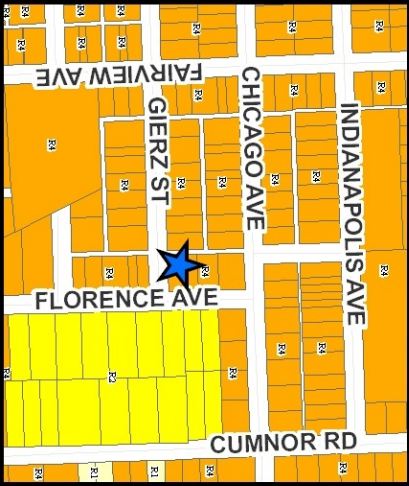
Mayor

Passed:

Published:

Attest: _____

Village Clerk



0 10 20 30 40 Feet



Portion of the public alley to be vacated to the property owner at 4720 Florence Avenue

4720 Florence Avenue Location Map





**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
AUGUST 1, 2011 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
PC-24-11 4720 Florence Avenue	Alley Vacation	Stan Popovich, AICP Planner

REQUEST

The petitioners are requesting a vacation of a 16-foot wide by 102-foot deep alley immediately adjacent to and west of their property at 4720 Florence Avenue.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements.

GENERAL INFORMATION

OWNER: Village of Downers Grove
801 Burlington Road
Downers Grove, IL 60515

APPLICANTS: Margaret A. & Edward A. Earl
4720 Florence Avenue
Downers Grove, IL 60515

PROPERTY INFORMATION

EXISTING ZONING: R-4 Single Family Residence District (adjacent properties)
EXISTING LAND USE: Unimproved Right-of-Way
PROPERTY SIZE: 12,750 square feet
PINS: 09-09-100-027

SURROUNDING ZONING AND LAND USES

	ZONING	FUTURE LAND USE
NORTH:	R-4 Single Family Residence District	Residential 0-6 DU/Acre
SOUTH:	R-4 Single Family Residence District	Residential 0-6 DU/Acre
EAST:	R-4 Single Family Residence District	Residential 0-6 DU/Acre
WEST:	R-4 Single Family Residence District	Residential 0-6 DU/Acre

ANALYSIS

SUBMITTALS

This report is based on the following documents, which are on file with the Department of Community Development:

1. Application/Petition for Public Hearing
2. Project Narrative
3. Neighbor consent
4. Plat of Survey
5. Village alley vacation policy (Resolution #2003-58)

PROJECT DESCRIPTION

The property owner at 4720 Florence Avenue is requesting the Village vacate the 16-foot wide by 102-foot long alley that runs north and south immediately adjacent to and west of their property. The alley is currently unimproved and covered in turf. The properties at 300 Gierz and 4720 Florence Avenue are the only properties which abut the alley proposed to be vacated. The petitioner has spoken to the property owner at 300 Gierz Street (immediately west of and adjacent to the alley) and the property owner has indicated that she has no desire to purchase the portion of the alley adjacent to her property. As shown in the table below, the entire alley would be vacated to the petitioner at 4720 Florence Avenue:

Address	Requested Width	Requested Length	Approximate Increase in Area
4720 Florence	16 feet	102 feet	1,632 square feet

Per the Village’s Right-of-Way Vacation Policy (Resolution #2003-58), staff contacted the utility companies and outside public agencies (including the Police, Fire and Public Works Departments, School Districts, Sanitary District and Downers Grove Park District) to determine if any rights to the public right-of-way should be retained. Currently ComEd has utility poles within the alley. These poles provide service for ComEd and Comcast. AT&T also has buried cable within the alley right-of-way. There are no other known utilities in the right-of-way. The utility providers and the Village do not have an objection to the vacation of the right-of-way as long as a public drainage, utility and access easement is retained along the entire width and length of the alley. The easement will provide adequate space for any future utility needs.

As such, the easement will restrict any construction within the vacated right-of-way except for a driveway or fence. The petitioner has been informed of this requirement and restrictions and does not object to the easement.

COMPLIANCE WITH FUTURE LAND USE PLAN

The subject right-of-way is unimproved and covered in turf. According to the Future Land Use Plan, the neighboring properties and all surrounding properties are designated as Residential (0-6 DU/Acre). The use of the alley will not be significantly altered as the Village is requiring that an easement be retained. The vacation of this alley would not alter the future uses of the surrounding properties. Staff believes the proposed vacation is consistent with the Future Land Use Plan.

COMPLIANCE WITH ZONING ORDINANCE

The surrounding properties are all zoned R-4 single family residence district. The alley vacation will increase the 4720 Florence Avenue property by 1,632 square feet. The additional property will create a 102-foot wide by 141-foot deep lot. The 20-foot rear yard setback of 4720 Florence Avenue will now be measured from the west side of the vacated alley and provide an additional 16 linear feet of buildable area in the rear yard of 4720 Florence Avenue.

At this time, the petitioner is not proposing any construction on their property. Because an easement is being placed on the entire alley, no new buildings or structures, other than a driveway or fence, could be

constructed on the vacated alley. Staff believes the proposed vacation is consistent with the Zoning Ordinance.

PUBLIC SAFETY REQUIREMENTS

The Fire Department and the Police Department have reviewed the plans for the vacation and noted no objections to the vacation of the right-of-way.

NEIGHBORHOOD COMMENT

Notice was provided to all property owners 250 feet or less from the property line in addition to posting the public hearing sign and publishing the legal notice. Staff has not received any written neighborhood comment regarding the proposal at this time.

FINDINGS OF FACT

Compliance with the Procedure to be followed in the Vacation of Streets, Alleys, and Public Rights-of-Way (Resolution #2003-58)

The Village's alley vacation policy asks two key questions when it comes to determining if an alley can be vacated. These questions and staff's findings are listed below:

- Is there written consent of at least two property owners who abut the proposed parcel to be vacated?
 - The two petitioners, who abut the alley, have provided written consent to vacate the alley. The property owner at 4720 Florence Avenue has petitioned to vacate the alley while the property owner at 300 Gierz Street has provided written documentation that she has no interest in purchasing the alley.

- Are there any known public interests served the parcel?
 - As noted above, staff contacted the utility companies and outside public agencies to determine the extent of public interest. Based on their replies, staff has determined the public interests can be addressed by retaining a public drainage, utility and utility access easement over the entire alley length and width. As such, the petitioners will not be able to construct any permanent structure, other than a driveway or fence, within this easement. The petitioners have been informed of the easement requirements and do not object to them.

Based on these findings, staff believes the request complies with the Village policy outlined in Resolution #2003-58 and recommends vacating the entire 16-foot by 102-foot alley to the petitioner with a public drainage, utility and utility access easement placed over the entire length and width of the alley to be vacated.

Staff recommends that the petitioners provide the Village with compensation for the alley to be vacated. Staff believes the petitioners should compensate the Village fair market value of the vacated property. The fair market value is based on the latest assessment of land adjacent to the right-of-way. When land will be encumbered with an easement, land is generally valued at one-third (1/3) of the value of the same property that does not have an easement. As such, the fair market value of the entire alley to be vacated will be discounted to reflect the blanket easement.

The table below summarizes the estimated value:

Property Address	Land Value	Lot Size (Square Feet)	Square Foot Land Value	SF of Alley to be vacated	Estimated Value	Encumbered Value
4720 Florence Avenue	\$ 74,710	12,750	\$ 5.86	1,632	\$ 9,562.88	\$ 3,155.75

Based on the land value assessment model, the petitioner would be required to pay the Village a total of \$3,155.75.

RECOMMENDATIONS

Staff believes the proposed alley vacation is consistent with the Village's alley vacation policy (Resolution #2003-58) and surrounding zoning and land use classifications. Based on the findings listed above, staff recommends that the Plan Commission make a motion recommending approval of the alley right-of-way vacation associated with PC-24-11 to the Village Council subject to the conditions below:

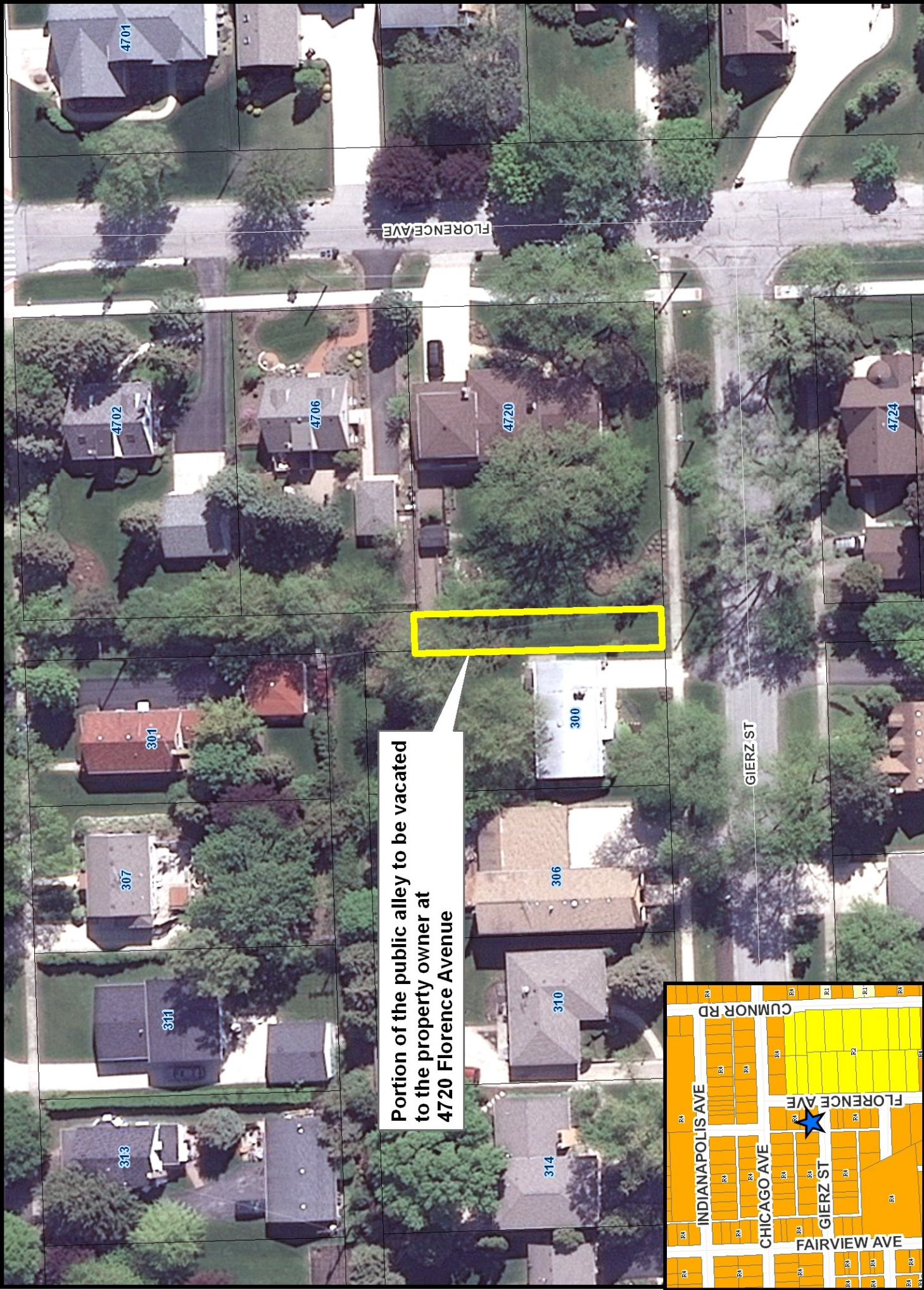
1. The vacation shall substantially conform to the staff report dated August 1, 2011.
2. Prior to final Village Council consideration, a Mylar copy of the Final Plat of Vacation indicating a sixteen-foot public drainage, utility and utility access easement along the entire length and width of the alley to be vacated.
3. Prior to execution of the plat, the petitioner shall pay the Village a total of \$3,155.75.

Staff Report Approved By:

Tom Dabareiner, AICP
Director of Community Development

TD:sp
-att

P:\P&CD\PROJECTS\PLAN COMMISSION\2011 PC Petition Files\PC-24-11 4720 Florence Ave - Alley Vacation\Staff Report PC-24-11.doc



Portion of the public alley to be vacated to the property owner at 4720 Florence Avenue



0 10 20 30 40 Feet

4720 Florence Avenue Location Map

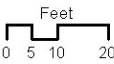


16-foot by 102-foot alley to be vacated to 4720 Florence Avenue. Easement to be placed over entire vacated alley right-of-way.

4720 Florence

FLORENCE AVE

GIERZ ST




**Alley Right of Way Vacation
4720 Florence**

June 21, 2011

To the Downers Grove Plan Commission,

As I have stated in 2007, I have no interest in purchasing a portion of the alley that runs between the east side of my home, located at 300 Gierz Street, and the west side (rear) of the property at 4720 Florence Avenue.



Rita Burr

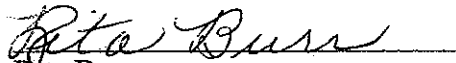
300 Gierz St.

Downers Grove, Il 60515

January 18, 2007

RE: Vacation on Alley

I have no objection to Margaret and Edward Earl, who live at 4720 Florence Avenue, Downers Grove, Illinois, purchasing the alley located on the west side of 4720 Florence Avenue and the east side of 300 Geirz Street.

A handwritten signature in cursive script, appearing to read "Rita Burr", is written over a horizontal line.

Rita Burr

300 Geirz Street

Downers Grove, IL 60515

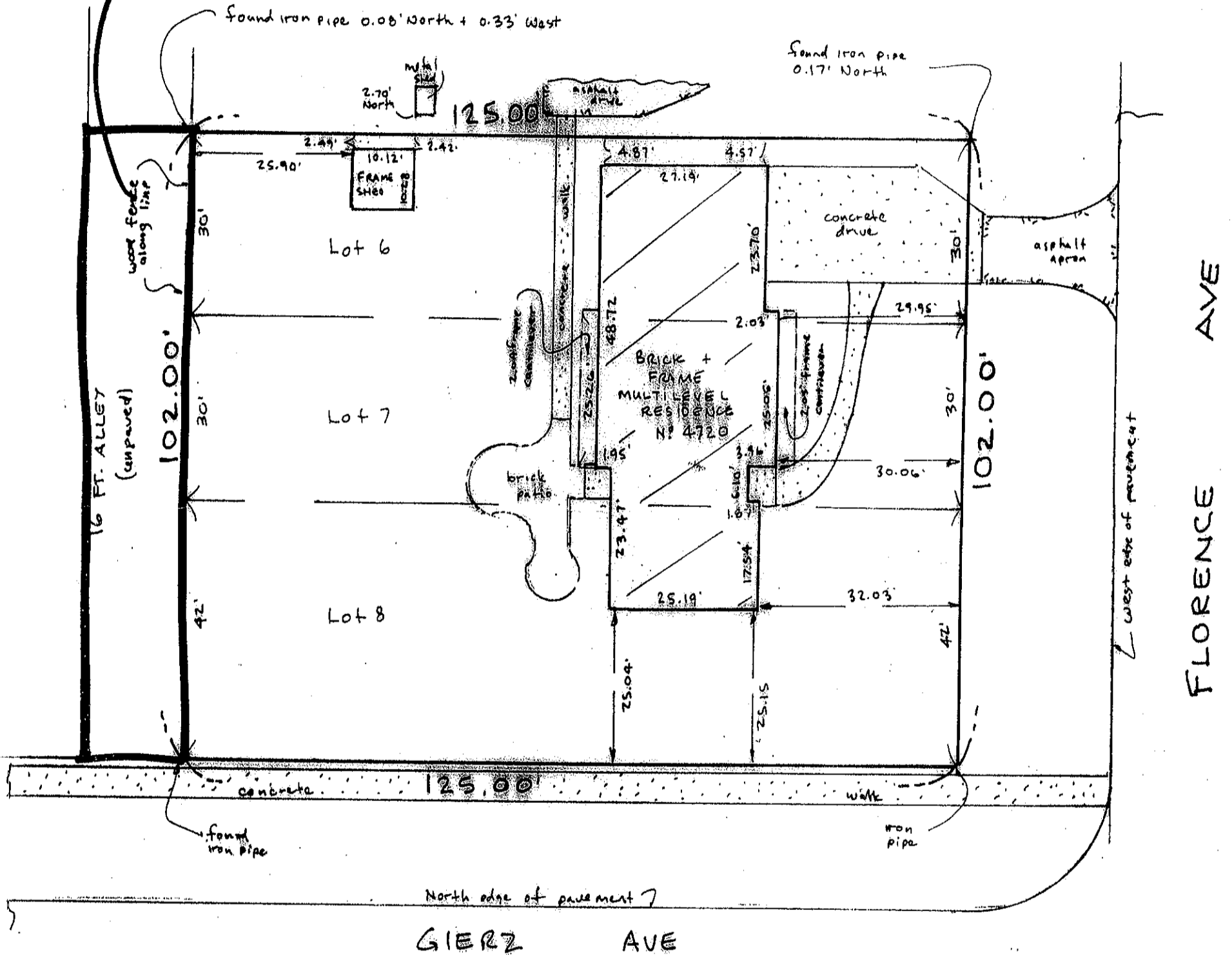
JOSEPH M. DE CRAENE
ILLINOIS LAND SURVEYOR
8710 SKYLINE DRIVE
HINSDALE, IL 60527
(630) 789-0698
FAX (630) 789-0697

Plat of Survey

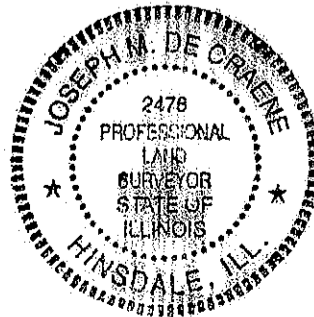


LOTS 6, 7 AND 8 IN BLOCK 7 IN WORLEY'S SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 4 AND IN THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 10, 1890 AS DOCUMENT 42864, AND RE-RECORDED JUNE 1, 1908 AS DOCUMENT 93656, IN DUPAGE COUNTY, ILLINOIS.

PORTION OF ALLEY TO BE VAKATED.



NOTES:
-CHECK FOR EASEMENTS, BUILDING LINES AND OTHER RESTRICTIONS, IF ANY, NOT SHOWN HEREON. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS, ENCUMBRANCES, RESTRICTIONS, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.
-CHECK LEGAL DESCRIPTION HEREON AGAINST DEED.
-SCALE HEREON MAY BE APPROXIMATE IN CERTAIN AREAS FOR CLARITY OR FROM REPRODUCTION IRREGULARITIES. DO NOT SCALE FROM PLAT.
-CONSULT WITH SURVEYOR PRIOR TO USING THIS PLAT FOR ANY CONSTRUCTION PURPOSES. COMPARE ALL INFORMATION SHOWN BEFORE USE.
-DO NOT ASSUME THAT PROPERTY MONUMENTS ARE AT PROPERTY CORNERS.
-DO NOT ASSUME THAT PROPERTY MONUMENTS INDICATED REMAIN IN PLACE.
-SURVEY PLAT NOT VALID UNLESS EMBOSSED IMPRESSION OF SURVEYOR'S SEAL IS AFFIXED HEREON.
-DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY ONLY. SURVEY NOT TRANSFERABLE TO ADDITIONAL PARTIES OR SUBSEQUENT OWNERS.



THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY

DATE: MAY 15 A.D. 2003

Joseph M De Craene
ILLINOIS LAND SURVEYOR NO. 2478

LIC. EXP. 11-30-2004

ORDERED BY: FLEMING, MARKS & WOOD

ORDER NO. 030430

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DRAFT

VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING
PUBLIC HEARING

AUGUST 1, 2011, 7:00 P.M.

PC-24-11 A petition seeking an alley vacation of a 16-foot wide by 102-foot long unimproved alley running north and south immediately west of and adjacent to the property commonly known as 4720 Florence Avenue, Downers Grove, IL (PIN 09-09-100-027); Margaret A & Edward A. Earl, Petitioners and Owners.

Chairman Jirik called to order the above petition and swore in those individuals who wished to speak on File PC 24-11.

Village Planner, Mr. Stan Popovich, summarized that the petitioner was looking to vacate a 16-ft. wide by 102-ft. alley adjacent to the property at 4720 Florence Avenue, which was located at the northwest corner of Florence and Gierz Streets. The unimproved alley ran north/south to the west of 4720 Florence and abutted 300 Gierz Street. The property owners at the 300 Gierz provided a consent letter and did not wish to vacate any portion of the alley to the petitioner. Therefore, the 1,632 square feet would be vacated to the property owner at 4720 Florence Avenue.

Mr. Popovich stated he contacted the various utility companies in the alley, which included Com Ed, Comcast and AT&T. No other utilities existed nor contacted staff. However, the Village would be maintaining an easement for stormwater purposes. Staff recommended that the easement be placed over the entire alley, which would preclude any construction on the vacated alley, other than a driveway or fence. The petition met the Future Land Use Plan.

Per Mr. Popovich, the 1,632 square foot vacated area would create a 101-ft. by 141-ft. lot and a 20-ft. setback would be created off the west property line along the far west line of the alley in order to provide an additional 16 feet of buildable area for the petitioners. To date, no construction was being proposed for the property.

Continuing, Fire Prevention reviewed the petition and had no comments. After proper notification to the neighbors and the newspaper, a couple of interested parties did call staff to seek general information. Staff believed the proposal complied with the village's vacation policy and consents were received by the two adjacent property owners. Per the vacation policy, staff recommended that compensation be provided to the Village based on the fair market value of the alley. Staff recommended payment of \$3,155.75 for this property. Mr. Popovich recommended that the Plan Commission forward a positive recommendation to the Village Council subject to the three conditions listed in staff's report.

Mr. Matejczyk confirmed with staff that an existing utility pole and line did exist in the right-of-way. Mr. Popovich stated the village would retain the easement in order for the utility companies to access their lines. Asked if the public alley continued north of the proposed area, Mr. Popovich stated the alley continued up to Chicago Avenue and west toward Fairview Avenue.

Chairman Jirik invited the petitioner to speak.

DRAFT

Ms. Marge Earl, 4720 Florence Avenue, owner of the property, stated she wanted to expand her flower garden and if she was going to spend money on flowers, she wanted to own the parcel. She stated she has been maintaining the area for the past eight years.

No commissioner questions followed. Chairman Jirik opened up the hearing to public comment. No public comment followed. The Chairman closed public comment.

Ms. Earl waived her right to provide a closing statement.

WITH RESPECT TO FILE PC-24-11, MR. COZZO MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSTIVE RECOMMENDATION TO THE VILLAGE COUNCIL REGARDING THE ALLEY RIGHT-OF-WAY VACATION, SUBJECT TO THE THREE (3) STAFF CONDITIONS LISTED BELOW.

- 1. THE VACATION SHALL SUBSTANTIALLY CONFORM TO THE STAFF REPORT DATED AUGUST 1, 2011;**
- 2. PRIOR TO FINAL VILLAGE COUNCIL CONSIDERATION, A MYLAR COPY OF THE FINAL PLAT OF VACATION INDICATING A SIXTEEN-FOOT PUBLIC DRAINAGE, UTILITY AND UTILITY ACCESS EASEMENT ALONG THE ENTIRE LENGTH AND WIDTH OF THE ALLEY TO BE VACATED; AND**
- 3. PRIOR TO EXECUTION OF THE PLAT, THE PETITIONER SHALL PAY THE VILLAGE A TOTAL OF \$3,155.75.**

SECONDED BY MR. QUIRK. ROLL CALL:

**AYE: MR. COZZO, MR. QUIRK, MR. BEGGS, MR. MATEJCZYK, MR. WAECHTLER,
CHAIRMAN JIRIK**

NAY: NONE

MOTION CARRIED. VOTE: 6-0

14' ALLEY PER DOC. 42864
REC. JUNE 10, 1890

16' ALLEY PER DOC.

VILLAGE COUNCIL CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DuPAGE) SS

APPROVED THIS ___ DAY OF _____, A.D. 20__
BY THE COUNCIL OF THE VILLAGE OF DOWNERS GROVE.

MAYOR

VILLAGE CLERK

DuPAGE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DuPAGE) SS

THIS PLAT WAS FILED FOR RECORD IN THE
RECORDER'S OFFICE OF DuPAGE COUNTY, ILLINOIS.
ON THE ___ DAY OF _____, A.D. 20__
AT ___ O'CLOCK ___ M AS DOCUMENT NO. _____

RECORDER OF DEEDS

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THIS
DOCUMENT WAS PREPARED UNDER MY
DIRECT SUPERVISION FROM EXISTING
MAPS, PLATS AND RECORDS FOR THE
PURPOSE OF ROADWAY VACATION.

T.G. Staley
TED G. STALEY

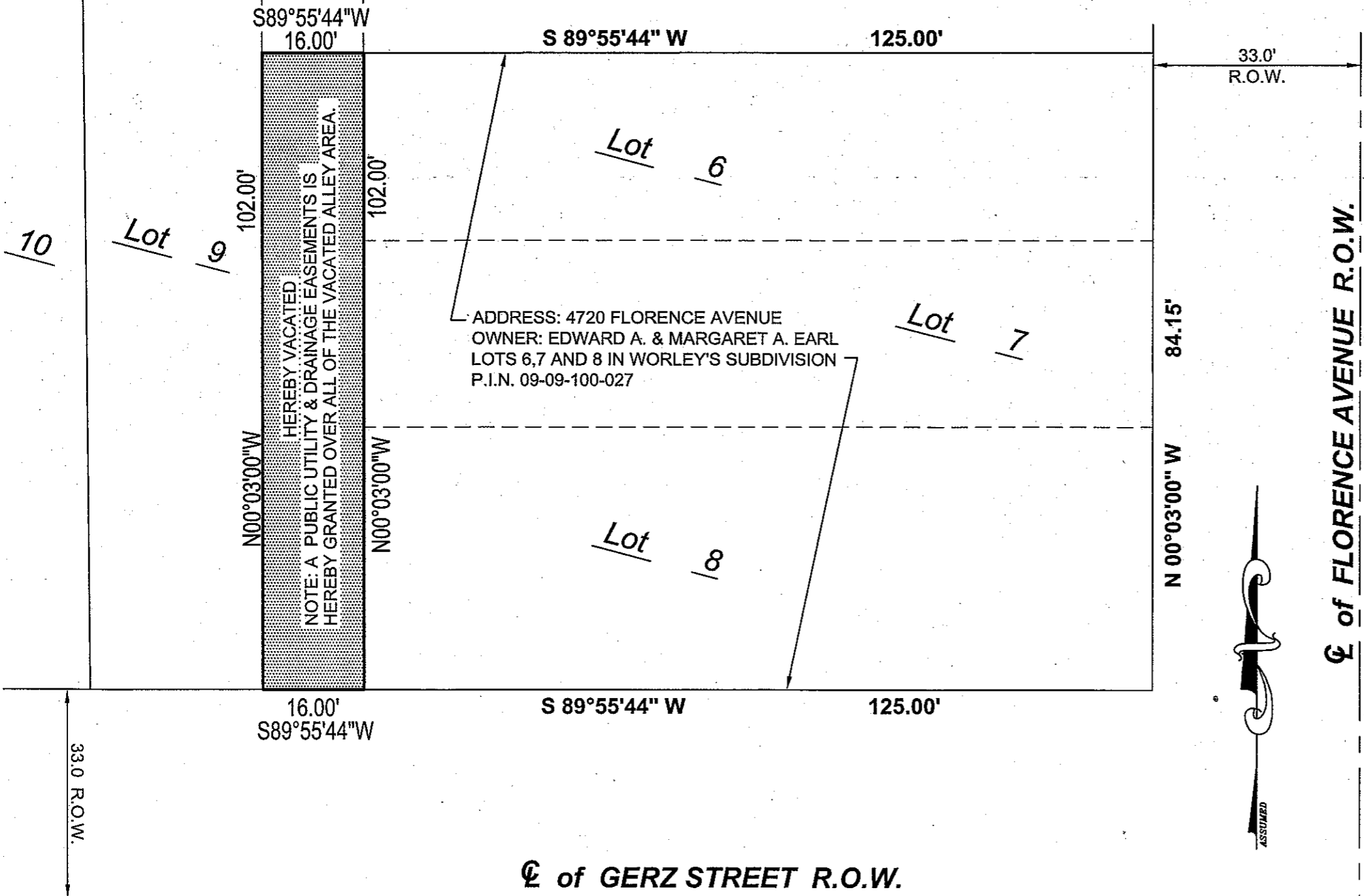
ILLINOIS REGISTERED LAND SURVEYOR NO. 036-002348
MY LICENSE EXPIRES NOVEMBER 30, 2012
DATED AUGUST 24, 2011

**PLAT OF EASEMENT
PLAT OF ROADWAY VACATION**

THAT PART OF THE 16.0' ALLEY LYING NORTHERLY OF
THE NORTH LINE OF GERZ STREET AND LYING
SOUTHERLY OF THE NORTH LINE OF LOT 6 (AS
EXTENDED WESTERLY TO THE WEST LINE OF SAID 16'
ALLEY) IN WORLEY'S SUBDIVISION OF PART OF THE
SOUTHWEST QUARTER OF SECTION 4 AND PART OF
THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP
38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL
MERIDIAN, IN DuPAGE COUNTY, ILLINOIS.

FOR DETAILS OF THIS ORDINANCE NO. _____ SEE
DOCUMENT NO. _____

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF DOWNERS GROVE, COUNTY OF DuPAGE AND TO UTILITY COMPANIES OPERATING UNDER FRANCHISE FROM THE SAID VILLAGE INCLUDING, BUT NOT LIMITED TO, AT&T, COMMONWEALTH EDISON COMPANY, COMCAST, THE DOWNERS GROVE SANITARY DISTRICT AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY, OVER ALL AREAS MARKED "PUBLIC UTILITIES RESERVATION" ON THE PLAT OF THE VACATED ALLEY RIGHT OF WAY AS DESCRIBED HEREIN FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN AND OPERATE VARIOUS UTILITY TRANSMISSION AND DISTRIBUTION SYSTEMS AND COMMUNITY ANTENNA TELEVISIONS SYSTEMS AND ALL NECESSARY APPLIANCES AND OTHER STRUCTURES AND APPURTENANCES AS MAY BE DEEMED NECESSARY BY SAID VILLAGE AND FOR ANY AND ALL MUNICIPAL PURPOSES, OVER, UPON, ALONG, UNDER AND THROUGH SAID INDICATED EASEMENTS, TOGETHER WITH RIGHT OF ACCESS ACROSS THE PROPERTY TO DO ANY OF THE ABOVE WORK. THE RIGHT IS ALSO GRANTED TO CUT DOWN, TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS THAT INTERFERE WITH THE OPERATION OF THE UTILITIES. NO PERMANENT BUILDINGS OR STRUCTURES SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, DRIVEWAYS, FENCES AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES AND RIGHTS. ALL INSTALLATIONS SHALL BE SUBJECT TO THE ORDINANCES OF THE VILLAGE OF DOWNERS GROVE. EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF DOWNERS GROVE AND OTHER GOVERNMENTAL AUTHORITIES HAVING JURISDICTION OF THE LAND OVER THE ENTIRE EASEMENT AREA FOR INGRESS, EGRESS AND THE PERFORMANCE OF ANY AND ALL MUNICIPAL AND OTHER GOVERNMENTAL SERVICES.



HEREBY VACATED.
NOTE: A PUBLIC UTILITY & DRAINAGE EASEMENTS IS
HEREBY GRANTED OVER ALL OF THE VACATED ALLEY AREA.

ADDRESS: 4720 FLORENCE AVENUE
OWNER: EDWARD A. & MARGARET A. EARL
LOTS 6,7 AND 8 IN WORLEY'S SUBDIVISION
P.I.N. 09-09-100-027

PREPARED BY: *Genesis Surveying and Engineering, PC*
PROFESSIONAL DESIGN FIRM No. 184-002922
71 W. 61st STREET,
WESTMONT, ILLINOIS 60559
PH (630) 271-0930 FAX (630) 271-0933

COMMON ADDRESS: 4720 FLORENCE AVENUE,
DOWNERS GROVE, IL 60515

JOB NUMBER: 11-106 | SCALE 1"= 20' | DRAWN BY: TGS

CLIENT: MS. MARGE EARL

REVISIONS: