

Ordinance No. O-12-03

AN ORDINANCE VACATING A PORTION OF FAR VIEW ROAD

WHEREAS, Far View Road is an existing street and right-of-way in the Village of Campton Hills; and

WHEREAS, Patrick C. Keeley and Kimberly J. Keeley (the "Petitioners") have filed a petition seeking the vacation of a portion of Far View Road; and

WHEREAS, the public interest will be subserved by vacating a portion of the right-of-way of Far View Road, (hereafter referred to as "Road to be Vacated") as depicted on Exhibit A, being a Plat of Vacation prepared by Trotter and Associates and dated January 6, 2012, attached hereto and incorporated herein by this reference (the "Plat of Vacation"), which is not improved as a public street and is not necessary or useful to the public; and

WHEREAS, the vacation of the Road to be Vacated will not materially interfere with, impede or affect access to any property; and

WHEREAS, the Plan Commission of this Village has held a public hearing on the question of this road vacation pursuant to notice duly published at least fifteen (15) days prior to such hearing; and

WHEREAS, an appraisal of the Road to be Vacated has been prepared by Real Valuation Group which has concluded that the value of said Road to be Vacated is \$4,600.00 (the "Appraised Value"); and

WHEREAS, THE Petitioners have tendered to the Village full payment of the Appraised Value on behalf of themselves and on behalf of the owners of property abutting and lying westerly of said Road to be Vacated, and by their signatures to this Ordinance Petitioners acknowledge that they have no claim for payment or contribution by or from the Owners of said property abutting and lying westerly of said Road to be Vacated; and

WHEREAS Rick Herout and Pamela Herout, owners and occupants of said property abutting and lying westerly of said Road to be Vacated have signed this Ordinance evidencing their concurrence in this vacation pursuant to the terms of this Ordinance; and

WHEREAS, Alexandra Scott, the owner of the following described property lying Northerly and abutting the Road to be Vacated (the "Scott Property") has agreed to said vacation provided that her property may, upon any future development, be served with a road from Campton Hills Road terminating in a cul-de-sac on her property:

That part of the East half of Section 27, Township 40 North, Range 7 East of the Third Principal Meridian, described as follows: Beginning at a point in the quarter section lien 3.35 chains South of the center of said section;

thence East 14.47 chains; thence North 3.50 chains to the center of Sycamore Road; thence Northwesterly along the center of said road to the quarter section line; thence South along said quarter section line 13.25 chains to the place of beginning, in the Township of Campton, Kane County, Illinois.

NOW, THEREFORE BE IT ORDAINED by the President and Board of Trustees of the Village of Campton Hills, Kane County, Illinois; that

SECTION 1: The Corporate Authorities find that the statements in the preamble to this Ordinance are true and that the public interest will be subserved by the vacation herein referred to.

SECTION 2: That portion of Far View Road adjacent to lots 25 and 26 of Foxwood Farms Estate which is depicted on the Plat of Vacation is hereby vacated and title thereto shall vest as follows:

Title to the Westerly half of said vacated road shall vest in the owners of Lot 26 of Foxwood Farms Estates Subdivision in part of the Southwest Quarter of Section 27, Township 40 North, East of the Third Principal Meridian, Kane County, Illinois.

Title to the Easterly half of said vacated road shall vest in the owners of Lot 25 of Foxwood Farms Estates Subdivision in part of the Southwest Quarter of Section 27, Township 40 North, East of the Third Principal Meridian, Kane County, Illinois.

SECTION 3: The Corporate Authorities agree that upon development of the Scott property for residential purposes, said property may be served with a road from Campton Hills Road which terminates in a cul-de-sac within said Scott property, subject to compliance with all applicable Village, County and State codes, ordinances, regulations and laws then in effect of general applicability. The vacation provided for by this ordinance shall not affect or abrogate a certain equestrian easement located on the Northerly ten (10) feet of a portion of Foxwood Farms Estates.

SECTION 4: This Ordinance replaces Ordinance No. O-12-01, recorded with the Recorder of Kane County as Document No. 2012K004770, which has been repealed by reason of scrivener's errors in said Ordinance.

SECTION 5: This Ordinance shall be adopted by the affirmative vote of at least three fourths of the Trustees now holding office. This Ordinance shall take effect and be in force from and after its passage, approval and publication, pursuant to law. This Ordinance shall be published in pamphlet form and recorded with the Recorder of Kane County, Illinois

PASSED THIS 21st DAY OF February, 2012, by roll call vote as follows:

	AYES	NAYES	ABSENT	ABSTAIN
Trustee Laura B. Andersen	X	_____	_____	_____
Trustee Susan P. George	X	_____	_____	_____
Trustee James W. Kopec	X	_____	_____	_____
Trustee Albert Lenkaitis, Jr.	_____	_____	X	_____
Trustee Mike Millette	X	_____	_____	_____
Trustee John Strauss	X	_____	_____	_____
President Patsy J. Smith	_____	_____	_____	_____

APPROVED THIS 22nd DAY OF FEBRUARY, 2012

Patsy J. Smith
Patsy J. Smith, Village President

(SEAL)

ATTEST:

Carolyn Higgins
Carolyn Higgins, Village Clerk

Ordinance Accepted and Approved:

Patrick C. Keeley
Patrick C. Keeley

Kimberly J. Keeley
Kimberly J. Keeley

Pamela Herout
Pamela Herout

Rick Herout
Rick Herout

Alexandra Scott
Alexandra Scott

Prepared by and Return to:

Village of Campton Hills
Carolyn Higgins, Village Clerk
40W115 Campton Crossings Drive, Suite B
Campton Hills, IL 60175

pd



2012K019093
SANDY WEGMAN
RECORDER - KANE COUNTY, IL

RECORDED: 3/26/2012 2:30 PM
REC FEE: 46.00
PAGES: 5

Sandy Wegman
Kane County Recorder
719 S Batavia Ave, Bldg C
Geneva, IL 60134

MAP ATTACHED

Recording Cover Page

This page added for the purposes of affixing Recording Information

Deed _____

Other Ord 0-12-03

UCC

Plat

Remarks:

5

46

Heroldt.
41W418. Far View. Rd

Scott.
41W499 Campton Hills Rd

Keeley.
41W297 Campton Hills Rd

CE Cert. Copies Mailed 4/5/2012

ORDINANCE

I, CAROLYN HIGGINS, DO CERTIFY that I am the duly elected Village Clerk of the Village of Campton Hills, Kane County, Illinois; and

I FURTHER CERTIFY that the attached copy of Ordinance No. O-12-03 is a true and correct copy of the Ordinance as duly adopted by the President and Board of Trustees of the Village of Campton Hills on the 21st day of February, 2012 and that the Ordinance has not been amended or repealed.

IN WITNESS WHEREOF, I have hereunto affixed my hand and the Official Seal of the Village of Campton Hills, Kane County, Illinois this 4th day of April, 2012.


Carolyn Higgins

Village Clerk

(SEAL)

Prepared by: Carolyn Higgins
Return to: Village of Campton Hills
40W115 Campton Crossing Dr., Unit B
Campton Hills, IL 60175