

2017K005483
SANDY WEGMAN
RECORDER - KANE COUNTY, IL

RECORDED: 1/30/2017 02:01 PM
REC FEE: 47.00
PAGES: 4

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

Recording Cover Page

This page added for the purposes of affixing Recording Information

Deed _____

Other *Ordinance* _____

UCC

Plat

Remarks:

Ordinance # 0-16-20
Village of Campton Hills

VILLAGE OF CAMPTON HILLS

AN ORDINANCE VACATING AND CONVEYING TITLE TO
A PORTION OF THE PHAR LAP DRIVE RIGHT OF WAY

WHEREAS, the Village of Campton Hills is an Illinois municipal corporation operating in accordance with the Illinois Municipal Code, 65 ILCS 5/1-1-1 et seq.; and

WHEREAS, pursuant to Section 11-91-1 of the Illinois Municipal Code, 65 ILCS 5/11-91-1, the Village may vacate streets and alleys, or portions thereof, upon a finding that the public interest will be served by such vacation; and

WHEREAS, the Village desires to be relieved from maintaining that portion of the unimproved right-of-way commonly known as “Phar Lap Drive,” as depicted on the Plat of Vacation attached to this Ordinance as Exhibit A (“*Right-of-Way*”); and

WHEREAS, the Village finds that the public interest will be served by vacating the Right-of-Way, including placing the vacated property on the tax rolls; and

THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CAMPTON HILLS, KANE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Recitals. The above recitals are incorporated into this Ordinance by reference.

Section 2. Approval of Vacation and Plat of Vacation. The Village Board of Trustees hereby approves the vacation of the Right-of-Way depicted on the Plat of Vacation, and approves the Plat of Vacation depicting and describing the Right-of-Way to be vacated, attached as Exhibit A and, by this reference, made a part of this Ordinance. The President, Clerk, and other necessary Village officials shall be, and are hereby, authorized and directed to sign the Plat of Vacation.

Section 3. Conveyance of Title. In exchange for the Consideration identified in Section 5, and other good and valuable consideration, title to the northerly half of the vacated portion of the Right-of-Way shall pass to the owner of the adjacent parcel to the north of the Right-of-Way (Lot 18 in Arlington Estates Subdivision, 39W472 Phar Lap Drive, P.I.N. 08-01-201-012) and title to the southerly half of the vacated portion of the Right-of-Way shall pass to the owner of the adjacent parcel to the south of the Right-of-Way (Lot 19 in Arlington Estates Subdivision, 39W483 Phar Lap Drive, P.I.N. 08-01-251-001). If necessary, the Village Clerk and Village President are hereby directed to execute a quit claim deed evidencing the conveyance of title to the adjacent property owners. In addition, the Village Administrator is authorized to take any other actions necessary to effect the vacation of the Right-of-Way as described in this Ordinance.

Section 4. Reservation of Easements. Notwithstanding anything to the contrary in this Ordinance, any preexisting rights of any utility provider, including the Village, in, at, over, along, across, through, upon, and under the vacated Right-of-Way, including reasonable ingress to and egress from the vacated Right-of-Way shall be reserved and maintained. The Village further reserves the right to any necessary easement in, on, upon, under, over, through, and across the vacated Right-of-Way for the purpose of maintaining, operating, repairing, replacing or installing any Village or public utility company facility, utility, improvement, or equipment.

Section 5. Consideration. The Village recognizes that vacating the Right-of-Way, and conveying it to the adjacent owners places the vacated Right-of-Way back on the tax rolls, and that value, in addition to the value of the reservation of easement rights as provided in Section 4 of this Ordinance constitute valuable consideration for the vacation of the Right-of-Way.

Section 6. Recording. The Village Administrator is hereby directed to record this Ordinance and the Plat of Vacation with the Kane County Recorder of Deeds.

Section 7. Effective Date. This Ordinance shall only be effective upon the occurrence of all of the following events:

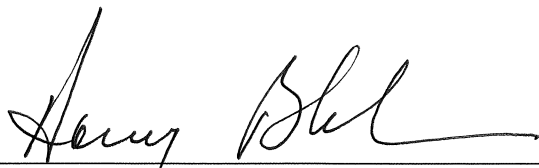
- A. Passage by the affirmative vote of at least three-fourths of the Village Trustees now holding office;
- B. Publication in pamphlet form in the manner required by law;
- C. The recording of this Ordinance and the Plat of Vacation for recording in the Office of the Kane County Recorder.

Passed this 29th day of November, 2016 by roll call vote:

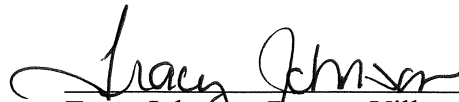
| | AYES | NAYES | ABSENT | ABSTAIN |
|-------------------------|--------------|-------|--------------|---------|
| Trustee Laura Andersen | <u> X </u> | _____ | _____ | _____ |
| Trustee Susan George | _____ | _____ | <u> X </u> | _____ |
| Trustee James McKelvie | <u> X </u> | _____ | _____ | _____ |
| Trustee Mike Millette | <u> X </u> | _____ | _____ | _____ |
| Trustee Michael O'Dwyer | <u> X </u> | _____ | _____ | _____ |
| Trustee Michael Tyrrell | <u> X </u> | _____ | _____ | _____ |
| President Harry Blecker | _____ | _____ | _____ | _____ |

APPROVED THIS 29th DAY OF NOVEMBER, 2016

(SEAL)



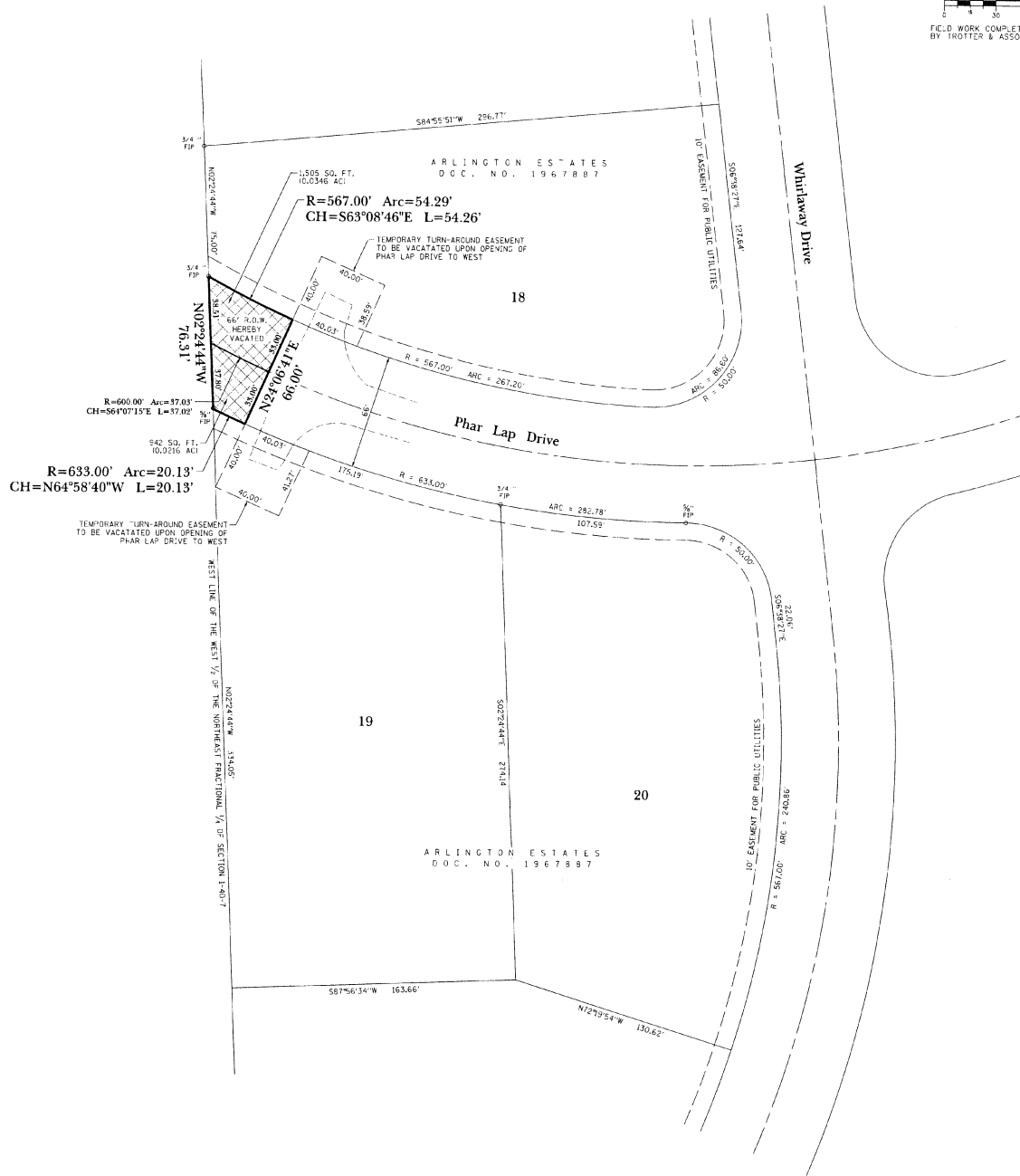
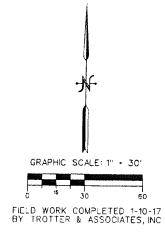
 Harry Blecker, Village President

ATTEST: 

 Tracy Johnson, Deputy Village Clerk

Exhibit A Village Ordinance 0-16-20 Plat of Vacation

FOR THE PURPOSE OF VACATING A PORTION OF PHAR LAP DRIVE RIGHT-OF-WAY IN ARLINGTON ESTATES,
IN THE VILLAGE OF CAMPTON HILLS, KANE COUNTY, ILLINOIS



$R=633.00'$ Arc= $20.13'$
CH= $N64^{\circ}58'40''W$ L= $20.13'$

$R=567.00'$ Arc= $54.29'$
CH= $S63^{\circ}08'46''E$ L= $54.26'$

STATE OF ILLINOIS }
COUNTY OF KANE }
ACCEPTED AND APPROVED THIS 21 DAY OF January, A.D. 2017
BY: Henry Hill
VILLAGE PRESIDENT AND PLAT OFFICER

SURVEYOR'S CERTIFICATE
STATE OF ILLINOIS }
COUNTY OF KANE }
THIS IS TO CERTIFY THAT JAMES M. WENZEL, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003247,
HAS SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THIS PLAT WAS PREPARED FOR THE PURPOSE OF
VACATING SAID PROPERTY FOR PURPOSES STATED HEREON AND THAT THIS PLAT OF VACATION ACCURATELY
DEPICTS SAID PROPERTY.



GIVEN UNDER MY HAND AND SEAL AT ST. CHARLES, ILLINOIS THIS 24 DAY OF January, A.D. 2017
James M. Wenzel
JAMES M. WENZEL, P.L.S.
ILLINOIS PROFESSIONAL LAND SURVEYOR, NO. 035-003247
LICENSE EXPIRATION DATE: 01-31-18 DATE

PREPARED BY:

TROTTER
ASSOCIATES, INC.
ENGINEERS AND SURVEYORS

*Experienced Professionals - Better Solutions
Serving the Community Since 1999*

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