JPH: *2/6/06 PC: 2005-33P ALLEY VACATION

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Doc#: 0619331065 Fee: \$74.00

Eugene "Gene" Moore

Cook County Recorder of Deeds
Date: 07/12/2006 12:04 PM Pg: X

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THIS ORDINANCE MAY BE CITED AS VILLAGE ORDINANCE NUMBER 06-2-Z-3411

AN ORDINANCE VACATING VARIOUS UNOPENED AND UNIMPROVED RESIDENTIAL NORTH-SOUTH AND EAST-WEST ALLEYS WITHIN AN AREA BOUNDED BY GOLF ROAD, KEELER AVENUE, FOSTER STREET AND KILDARE AVENUE IN A R1 SINGLE FAMILY RESIDENTIAL DISTRICT

whereas the Community Development Department is continuing the alley vacation program that was implemented in 2002, in which the Village vacates unopened and unimproved residential alleys that are unnecessary for Village transportation and access needs; and

WHEREAS, the alleys to be vacated, were dedicated along with the original subdivisions, however, they were rever improved when the homes were constructed, and the Village does not have any intent to open or improve them; and

WHEREAS, the alley vacation program benefits both property owners by receiving increased land area that will potentially increase the value and development potential of their property, and the Village by reducing maintenance costs; and

WHEREAS, an easement for sewer, water and drainage purposes will be maintained in favor of the Village and utility easements will remain over the entire area to be vacated; and

WHEREAS, the only structure that may be built on the vacaced alleys is a fence, and that any and all structures and vegetation built or maintained by the property owners are done so at the property owner's risk because the Village will have the right to enter upon vacated property and may damage or remove the structure, should the Village need to access the area covered by the easement; and

WHEREAS, the public interest shall be subserved by the vacation of the following two unimproved alleys are to be vacated:

Alley-1: The north-south and east-west alleys on the 9500 block between Keeler Avenue and Tripp Avenue;

Alley-2: The north-south alley on the 9500 block between Tripp Avenue and Kildare Avenue (excluding the east-west alley south of the residences on Golf Road);

WHEREAS, Alley-1, being the north-south and east-west alleys on the 9500 block between Keeler Avenue and Tripp Avenue, are 16 feet wide and will be "split" down the middle, thereby giving each adjacent property owner, as identified by their permanent index

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numbers on Exhibit "B" attached hereto, under the heading "Block 203", half of the vacated alleys; and WHEREAS, Alley-2, being the north-south alley on the 9500 block between Tripp Avenue and Kildare Avenue (excluding the east-west alley south of the residences on Golf Road) is approximately 19 feet in width, due to the dedication of an approximately 3-foot wide strip of land on the west side of the alley, pursuant to Village Ordinance Number 06-2-Z-3410; and WHEREAS, Alley-2 will be divided with the eastern 8 feet being transferred to the adjacent property owners, as identified on Exhibit "B" attached hereto, by their permanent index numbers under the heading "Block 202 - East," and the western 11 feet being transferred to the adjacent property owners, as identified on Exhibit "B," by their permanent index numbers under the heading "Block 202 - West"; and WHEREAS, the Village will remove any existing alley aprons and restore parkways, sidewalks and any curps if necessary; and WHEREAS, the title and ownership, to the vacated alleys shall vest in the abutting property owners, as indicated above and whose Permanent Index Numbers are set out in "Exhibit B" attached hereto; and WHEREAS, the alleys to be vacated are depicted on the Plat of Vacation, dated October 25, 2005, attached hereto as Exhibit "C": and WHEREAS, no compensation shall be paid by the owners of the abutting properties for the value of the real estate which may accrue to them by reason of the enactment of this Ordinance, since it has been determined that the vacation of alleys will benefit both residents and the Village; and WHEREAS, the abutting property owners of the Subject Property were duly notified of the Plan Commission proceedings and presented no objection to the proposed vacation; and WHEREAS, the Skokie Plan Commission, at a public hearing only held on November 3, 2005, after hearing testimony from one person who requested clarification of the vacation processes and procedures: (a) determined proper legal notice was achieved and (b) voted to recommend to the Mayor and Board of Trustees that the Subject Property be vacated, subject to the conditions set forth in the Plan Commission Report dated December 5, 2005; and WHEREAS, the Mayor and Board of Trustees of the Village of Skokie, at a public meeting duly held December 5, 2005, concurred in the recommendation of the Skokie Plan Commission;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Skokie, Cook County, Illinois:

Section 1: That the following alleys commonly described below, and legally described in Exhibit "A" attached hereto, and depicted on the "Plat of Vacation," dated

October 25, 2005, attached hereto as Exhibit "C", located in the Village of Skokie, be and the same are hereby vacated:

- i. Alley 1 The north-south and east-west alleys on the 9500 block between Keeler Avenue and Tripp Avenue, and ownership is to be divided equally among the adjacent property owners, as identified by their permanent index numbers on Exhibit "B" under the heading of "Block 203"; and
- ii. Alley 2 The north-south alley on the 9500 block between Tripp Avenue and Kildare Avenue (not the east-west alley south of the residences on Golf Road), and ownership is to be divided with the eastern 8 feet being transferred to the adjacent property owners, as identified on Exhibit "B" attached hereto, by their permanent index numbers under the heading "Block 202 East," and the western 11 feet being transferred to the adjacent property owners, as identified on Exhibit "B," by their permanent index numbers under the heading "Block 202 West";

and the title to the vacated alleys shall vest in the abutting property owners, as indicated above, and whose Permanent index Numbers are set out in "Exhibit B" attached hereto.

Section 2: The aforesaid vacation is subject to the conditions set forth below:

- 1. Easements shall be reserved for all Village and Village franchised public utilities over the entire area to be vacated, as stated on the Plat of Vacation, dated October 25, 2005. A permanent public drainage easement shall be maintained in the vacated alley;
- 2. Property owners shall not alter the grade or change the drainage pattern in the easement area without a permit from the Village's Engineering Division;
- 3. Other than a fence, no structures shall be constructed in the easement area. Property owners planting vegetation or landscaping, constructing or maintaining a fence, or an unauthorized structure, accept the risk that the vegetation or landscaping, fence, or unauthorized structure, may be damaged or destroyed, without cost or liability to the Village, in the event it is necessary to improve access, maintain or enforce a sewer, water or utility easement; and
- 4. The vacation shall be effective upon the recording of a Plat of Vacation by the Village in the Office of the Recorder of Deeds of Cook County, Illinois.
- <u>Section 3</u>: That the aforesaid vacation, incorporating the conditions contained herein, shall be effective upon the recording of a Plat of Vacation by the Village of Skokie in the Office of the Recorder of Deeds of Cook County.
- <u>Section 4</u>: That no compensation shall be paid by the owners of the abutting properties for the value of the real estate which may accrue to them by reason of the enactment of this ordinance and that the public interest and benefit will be subserved by the vacation of the properties referenced herein.

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Section 5: It is the intention of the Village that ownership and title to the vacated alleys shall pass to and vest in the adjacent property owners, as described in Section 1.

That this Ordinance shall be in full force and effect from and after its passage, approval, and recordation as provided by law.

ADOPTED this 6th day of February, 2006.

Ayes:

(Bromberg, Gelder, McCabe, Perille

Roberts, Sutker, Van Dusen)

Nays:

0 Absent: 0

Attested and filed in my office this 7th day of February, 2006.

larlene Williams

Jilied in my
th day of
2006.

Lene Williams
Clerk

Office

George Van Dusen, layor, Village of Skokie

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LEGAL DESCRIPTION

THE NORTH-SOUTH 8 FOOT ALLEY LYING WEST OF AND ADJACENT TO LOTS 11 THROUGH 25 IN SIMPSON-KEELER SECOND ADDITION TO THE HIGHLANDS, BEING A SUBDIVISION OF THE WEST TWO-THIRDS OF THE EAST THREE-EIGHTHS OF THE NORTH THREE-QUARTERS OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED SEPTEMBER 21, 1927 AS DOCUMENT NUMBER 9785027, ALSO,

LOT 2 (PREVIOUSLY DEDICATED TO THE PUBLIC AS AN ALLEY, RECORDED , 200 AS DOCUMENT NUMBER) AND THE 8 FOOT NORTH-SOUTH ALLEY LYING EAST OF AND ADJACENT TO LOT 2 IN THE SUBDIVISION OF A STRIP OF LAND IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED NOVEMBER 16, 1927 AS DOCUMENT NUMBER 9842544, ALSO,

THE 8 FOOT NORTH-SOUTH ALLEY LYING EAST OF AND ADJACENT TO LOT 106 THROUGH 120 AND ALL OF THE 16 FOOT EAST-WEST ALLEY LYING SOUTH OF AND ADJACENT TO LOTS 1 THROUGH 5 AND NORTH OF AND ADJACENT TO LOT 120 IN AFORESAID SIMPSON-KEELER SECOND ADDITION TO THE HIGHLANDS, ALSO

THE 8 FOOT NORTH-SOUTH ALLEY LYING WEST OF AND ADJACENT TO LOTS 6 THROUGH 19, AND ALL OF THE 16 FOOT EAST-WEST ALLEY LYING SOUTH OF AND ADJACENT TO LOTS 1 THROUGH 5 AND NORTH OF AND ADJACENT TO LOT 6 IN SIMPSON-KEELER ADDITION TO THE HIGHLANDS, A SUBDIVISION OF THE EAST ONE-EIGHTH OF THE NORTH THREE-QUARTERS OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 41 NORTH RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED MARCH 18, 1927 AS DOCUMENT NUMBER 9584926, ALL IN COOK COUNTY, ILLINOIS.

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UNOFFICIAL COPY Exhibit B

PERMANENT INDEX NUMBERS

RI	OC.	K	20	2 -	East
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10-15-202-041-0000 10-15-202-042-0000 10-15-202-040-0000 10-15-202-044-0000 10-15-202-045-0000 10-15-202-038-0000 10-15-202-046-0000 10-15-202-026-00000 10-15-202-027-0000

BLOCK 202-West

10-15-202-034-0000 10-15-202-033-0000 10-15-202-032-0000 10-15-202-031-0000 10-15-202-030-0000 10-15-202-029-0000 10-15-202-050-0000

BLOCK 203

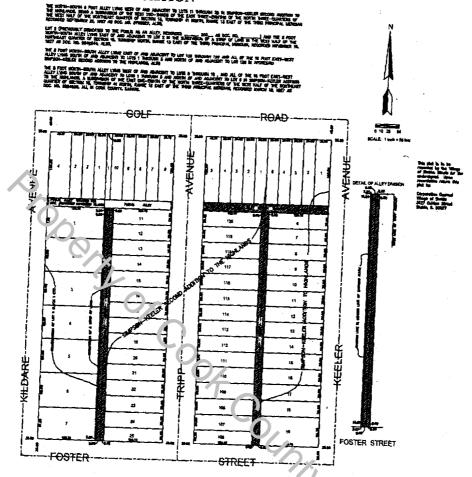
10-15-203-058-0000 10-15-203-055-0000 10-15-203-008-0000 10-15-203-009-0000 10-15-203-025-0000 10-15-203-026-0000 10-15-203-027-0000 Sty Ox Colhum 10-15-203-028-0000 10-15-203-029-0000 10-15-203-054-0000 10-15-203-046-0000 10-15-203-047-0000 10-15-203-048-0000 10-15-203-049-0000 10-15-203-024-0000 10-15-203-023-0000 10-15-203-022-0000 10-15-203-043-0000 10-15-203-042-0000 10-15-203-041-0000 10-15-203-040-0000 10-15-203-053-0000 19-15-203-052-0000 10 15-203-050-0000 10-15-203-012-0000 10-15-203-039-0000 10-15-203-(38-0000

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PLAT OF VACATION



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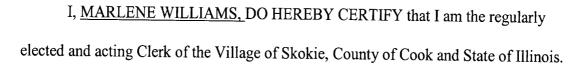
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STATE OF ILLINOIS)
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COUNTY OF COOK)



a true and correct copy of an Ordinance adopted by the Mayor and Board of

Trustees of the Village of Skokie on the 6th day of February, 2006 by

a vote of 7 Ayes, 0 Nays and 0 Absent; that said Ordinance adopted

as aforesaid was deposited and filed in the Office of the Village Clerk on the 7th day

of February, 2006. and was approved by the Mayor and Board of Trustees

on the 6th day of February, 2006.

I DO FURTHER CERTIFY that the original, of which the foregoing is a true copy is entrusted to my care and safekeeping and I are the Keeper of the records, journals, entries, ordinances and resolutions.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Skokie this 1st day of June, 2006.

Skokie Village Clerk Cook County, Illinois

- Will

(seal)

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0619331065 Fee: \$74.00 Doc#:

Eugene "Gene" Moore

Cook County Recorder of Deeds Date: 07/12/2006 12:04 PM Pg:

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