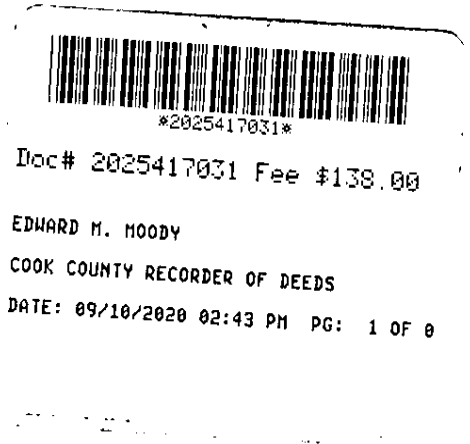


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**THIS DOCUMENT IS
PREPARED BY AND AFTER
RECORDING RETURN TO:**

Benjamin L. Schuster
Elrod Friedman LLP
325 N. LaSalle St., Suite 450
Chicago, Illinois 60654



Property of Cook County Clerk's Office

VILLAGE OF WINNETKA

ORDINANCE NO. M-10-2019

**AN ORDINANCE VACATING A PORTION OF A PUBLIC
RIGHT-OF-WAY ADJACENT TO 315 FAIRVIEW
AVENUE AND APPROVING A SUBDIVISION PLAT TO
CONSOLIDATE THE PARCELS**

RECORDING FEE 133.00
~~138.00~~
DATE 9-1-2020 COPIES 6x
OK BY RC

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ORDINANCE NO. M-10-2019

**AN ORDINANCE
VACATING A PORTION OF A PUBLIC ALLEY RIGHT-OF-WAY
ADJACENT TO 315 FAIRVIEW AVENUE AND APPROVING A SUBDIVISION PLAT
TO CONSOLIDATE THE PARCELS**

WHEREAS, the Village of Winnetka is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970 and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Village of Winnetka has the power to vacate alleys pursuant to Section 11-91-1 *et seq.* of the Illinois Municipal Code, 65 ILCS 5/11-91-1 *et seq.*, and its home rule powers; and

WHEREAS, the Village Board of Trustees does hereby determine that there is no public benefit to be obtained by the Village's continued ownership of the portion of the public alley adjacent to the property commonly known as 315 Fairview Avenue ("**Receiving Property**"); and

WHEREAS, the Village Council further determines that it would be in the best interests of the public to vacate the portion of the previously dedicated public alley adjacent to the Receiving Property and the owner of the Receiving Property, Jacek Kruszewski and Chelsea Halweg (collectively, "**Owners**"), have requested this vacation; and

WHEREAS, the Village Council does hereby certify that the right-of-way described in Section 2 below is located entirely within the corporate limits of the Village of Winnetka and is subject to the jurisdiction of the Village of Winnetka; and

WHEREAS, the Owners have prepared a Plat of Consolidation for the Receiving Property consolidating the corresponding portion of the Public Alley described in this Ordinance; and

WHEREAS, consolidation of land is considered a minor subdivision procedure under the Winnetka subdivision regulations ("**Subdivision Regulations**"); and

WHEREAS, staff has reviewed the Plat of Consolidation and recommends approval by the Village Council;

NOW, THEREFORE, be it ordained by the President and Board of Trustees of the Village of Winnetka as follows:

SECTION 1: RECITALS. The foregoing recitals are hereby incorporated as the findings of the Council of the Village of Winnetka, as if fully set forth in this Section.

SECTION 2: VACATION. Subject to and contingent on the prior satisfaction of the conditions stated in Section 4 of this Ordinance, the portion of the public alley depicted and

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described on the Plat of Vacation ("*Public Alley*"), prepared by Geodetic Survey, Ltd., and dated March 28, 2019, consisting of one sheet, attached to and made a part of this Ordinance as **Exhibit A ("*Plat of Vacation*")**, is hereby vacated and closed to public use, with title to the Public Alley transferring to the owners of the Receiving Property located adjacent thereto.

SECTION 3: EASEMENTS RESERVED. Perpetual easements are hereby reserved for public and municipal utility purposes as set forth on the Plat of Consolidation.

SECTION 4: CONDITION OF VACATION. The Owners shall pay to the Village, as consideration for the vacated Public Alley, the amount of \$20,000.00, plus the total amount of all fees, costs, and expenses incurred or accrued in connection with the review, negotiation, preparation, consideration, and review of this Ordinance (collectively, "*Vacation Compensation Fee*"). The Owners shall pay the Vacation Compensation Fee to the Village within 30 days after the date of adoption of this Ordinance.

SECTION 5: RECORDATION. The Village Manager is hereby authorized and directed to cause a certified copy of this Ordinance, together with the Plat of Vacation, to be recorded with the Cook County Recorder of Deeds upon compliance with all the conditions and requirements of this Ordinance.

SECTION 6: APPROVAL OF PLAT OF CONSOLIDATION. The Plat of Consolidation for 315 Fairview Avenue, prepared by Geodetic Survey, Ltd., on March 28, 2019, attached to, and by this reference, made a part of this Ordinance as Exhibit B ("*Plat of Consolidation*") shall be, and are hereby, approved in substantially the following form, and in a final form to be approved by the Village Manager.

SECTION 7: AUTHORIZATION TO EXECUTE PLAT OF CONSOLIDATION. The Village President and Village Clerk are hereby authorized and directed to execute and seal, on behalf of the Village, the Plat of Consolidation, subject to certification by the Office of the Cook County Clerk that there are no property tax delinquencies, as well as all other certifications as necessary.

SECTION 8: RECORDATION OF PLAT OF CONSOLIDATION. The Village Manager is hereby directed to record the Plat of Consolidation in the Office of the Cook County Recorder upon the occurrence of all of the events listed in Section 12 of this Ordinance.

SECTION 9: REPEAL. Unless the conditions set forth in Section 4 are satisfied in full within 30 days after passage of this Ordinance, the Village Council shall have the right, but not the obligation, to repeal this Ordinance by Resolution, in which case this Ordinance shall not take effect and shall be deemed null and void after that date.

SECTION 10: EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage, approval, and publication as provided by law.

[SIGNATURE PAGE FOLLOWS]

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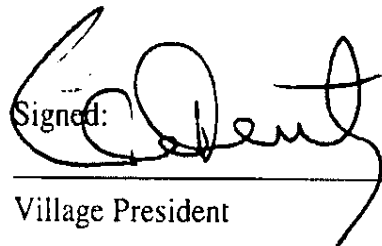
PASSED this 20th day of August, 2019 pursuant to the following roll call vote:

AYES: Trustees Coladarci, Dearborn, Lanphier and Swierk

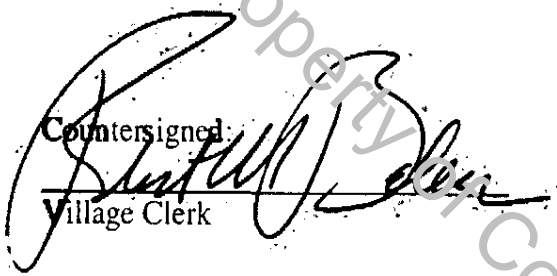
NAYS: None

ABSENT: Trustees Cripe and Wedner

APPROVED this 20th day of August, 2019.

Signed: 

Village President

Countersigned: 

Village Clerk

Published by authority of the
President and Board of Trustees of
the Village of Winnetka, Illinois, this
21st day of August, 2019.

Introduced: August 6, 2019

Passed and Approved: August 20, 2019

Property of Cook County Clerk's Office

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EXHIBIT A

PLAT OF VACATION

(SEE ATTACHED EXHIBIT A)

**COOK COUNTY
RECORDER OF DEEDS**

**COOK COUNTY
RECORDER OF DEEDS**

**COOK COUNTY
RECORDER OF DEEDS**

**COOK COUNTY
RECORDER OF DEEDS**

Property of Cook County Clerk's Office

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PLAT OF VACATION

OF

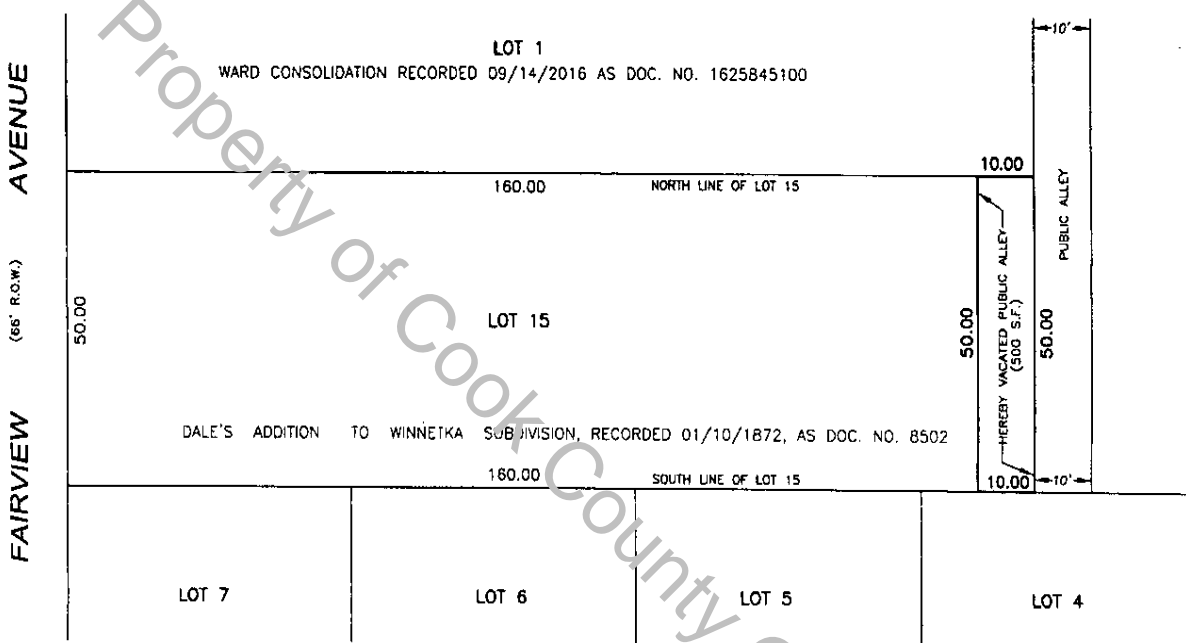
THE WEST HALF OF THE 20 FEET PUBLIC ALLEY LYING SOUTH OF THE NORTH LINE EXTENDED EAST AND NORTH OF THE SOUTH LINE EXTENDED EAST OF LOT 15 IN BLOCK 3 IN DALE'S ADDITION TO WINNETKA, A SUBDIVISION OF THE NORTH 7.50 CHAINS OF THE SOUTHEAST QUARTER OF FRACTIONAL SECTION 21, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

05-21-401-010-0000



SCALE: 1 INCH = 20 FEET

BLOCK 3



This plat submitted for recording by:
 Name: VILLAGE OF WINNETKA
 Address: 510 GREEN BAY ROAD
 City: WINNETKA
 State: ILLINOIS Zip 60093

STATE OF ILLINOIS
 COUNTY OF COOK SS

APPROVED AND ACCEPTED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WINNETKA, ILLINOIS,
 AT A MEETING HELD ON THE 20 DAY OF August, A.D., 2019.

BY: [Signature]
 VILLAGE PRESIDENT
 ATTEST: [Signature]
 VILLAGE CLERK

STATE OF ILLINOIS
 COUNTY OF COOK SS

APPROVED THIS 3rd DAY OF June, 2020 BY THE VILLAGE ENGINEER OF THE VILLAGE
 OF WINNETKA, COOK COUNTY, ILLINOIS.

BY: [Signature]
 VILLAGE ENGINEER

STATE OF ILLINOIS
 COUNTY OF COOK SS

APPROVED THIS 14th DAY OF April, 2020 BY THE VILLAGE COLLECTOR OF THE VILLAGE
 OF WINNETKA, COOK COUNTY, ILLINOIS.

BY: [Signature]
 VILLAGE COLLECTOR

I DO NOT FIND ANY DELINQUENT GENERAL TAXES UNPAID
 CURRENT GENERAL TAXES DELINQUENT SPECIAL ASSESSMENTS
 OR UNPAID CURRENT SPECIAL ASSESSMENTS AGAINST THE
 STREETS AND ALLEYS INCLUDED IN THE ABOVE PLAT.

[Signature]
 COUNTY CLERK
 DATE 8-17-20



STATE OF ILLINOIS
 COUNTY OF COOK SS

GEDDÉTC SURVEY, LTD., AN ILLINOIS LAND SURVEYING
 CORPORATION, DO HEREBY CERTIFY THAT WE HAVE
 PREPARED THIS PLAT OF VACATION IN ACCORDANCE WITH
 OFFICIAL RECORDS AND THAT SAID VACATION IS CORRECTLY
 REPRESENTED HEREON.

DATED THIS 28th DAY OF MARCH, 2019.

BY: [Signature]
 PROFESSIONAL ILLINOIS LAND SURVEYOR NO.3000
 LICENSE EXPIRES 11/30/2020

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EXHIBIT B

PLAT OF CONSOLIDATION

(SEE ATTACHED EXHIBIT B)

**COOK COUNTY
RECORDER OF DEEDS**

**COOK COUNTY
RECORDER OF DEEDS**

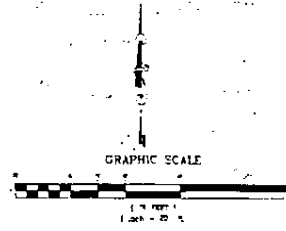
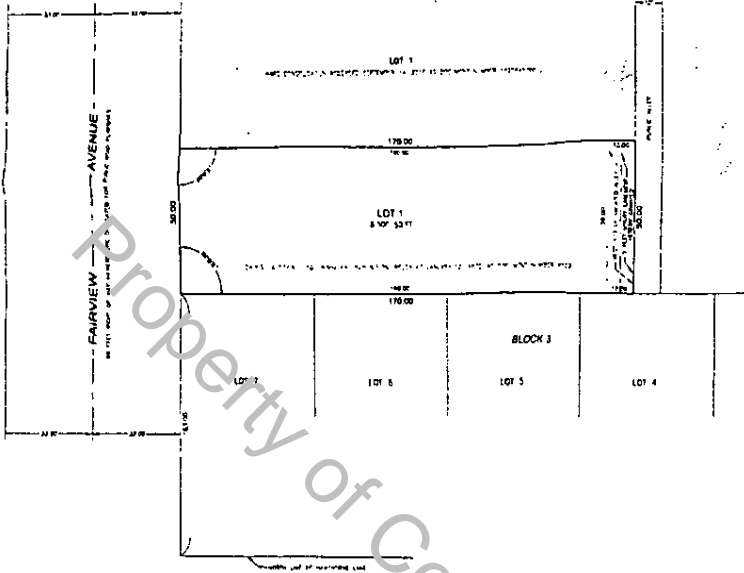
**COOK COUNTY
RECORDER OF DEEDS**

**COOK COUNTY
RECORDER OF DEEDS**

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FINAL PLAT OF KRUSEWSKI HALWEG CONSOLIDATION

OF LOT 15 IN BLOCK 3 TOGETHER WITH THE WEST HALF OF LOCATED ALLEY LYING EAST OF AND ADJOINING LOT 15 IN SAID ADDRESS TO WHOLESALE A SUBDIVISION OF THE NORTH 750 CHAINS OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE 10th MERIDIAN, WINDSOR IN COOK COUNTY, ILLINOIS



THE SET FORTH INFORMATION IS BY:
NAME: JAMES H. KRUSEWSKI
ADDRESS: 2122 GREEN BAY PLACE
CITY: WILMINGTON
STATE: ILLINOIS ZIP: 60090

PERMANENT REEL NUMBER 05-31-107-010-0000

TAX WILL RECEIPT
JAMES KRUSEWSKI & CHARLES HALWEG
115 FARMER AVENUE
MORTON, ILLINOIS 60053

OWNER'S CERTIFICATE

State of Illinois
County of Cook

We, James Krusewski & Charles Halweg, do hereby certify that we are the owners of the property described herein and that we have caused this plat to be prepared and recorded as shown herein on the following terms, covenants and apply ourselves on the part of the record hereon.

Dated this 10th day of February, 2010

James Krusewski
James Krusewski
Charles Halweg
Charles Halweg

NOTARY CERTIFICATE

State of Illinois
County of Cook

I, John A. Price, a Notary Public in and for said County, do hereby certify that the James Krusewski & Charles Halweg are the persons who have caused this plat to be prepared and recorded as shown herein on the day in and to the effect and to the intent and purpose herein set forth.

Given under my hand and seal of office on this 10th day of February, 2010.

John A. Price
John A. Price
Notary Public

MORTGAGE CERTIFICATE

State of Illinois
County of Cook

I, Markus E. Kelly, a Notary Public in and for said County, do hereby certify that the James Krusewski & Charles Halweg are the persons who have caused this plat to be prepared and recorded as shown herein on the day in and to the effect and to the intent and purpose herein set forth.

Given under my hand and seal of office on this 10th day of February, 2010.

Markus E. Kelly
Markus E. Kelly
Notary Public

NOTARY CERTIFICATE

State of Illinois
County of Cook

I, Donald Harshbarger, a Notary Public in and for said County, do hereby certify that the James Krusewski & Charles Halweg are the persons who have caused this plat to be prepared and recorded as shown herein on the day in and to the effect and to the intent and purpose herein set forth.

Given under my hand and seal of office on this 10th day of February, 2010.

Donald Harshbarger
Donald Harshbarger
Notary Public

SUBJECT'S CERTIFICATE

State of Illinois
County of Cook

I, James Krusewski & Charles Halweg, do hereby certify that we are the owners of the property described herein and that we have caused this plat to be prepared and recorded as shown herein on the day in and to the effect and to the intent and purpose herein set forth.

Dated this 10th day of February, 2010.

James Krusewski
James Krusewski
Charles Halweg
Charles Halweg

State of Illinois
County of Cook
Approved this 11th day of March, 2010 by the PLATICE DEPARTMENT AND BOARD OF TRUSTEES of the Village of Homewood, Cook County, Illinois.
Robert J. Cook
Robert J. Cook
Village Clerk

State of Illinois
County of Cook
Approved this 24th day of April, 2010 by the DIRECTOR OF THE PUBLIC WORKS DEPARTMENT of the Village of Homewood, Cook County, Illinois.
Don R. Hod
Don R. Hod
Village Director

State of Illinois
County of Cook
Approved this 24th day of April, 2010 by the DIRECTOR OF THE COMMUNITY DEVELOPMENT DEPARTMENT of the Village of Homewood, Cook County, Illinois.
John A. Price
John A. Price
Community Development Director

State of Illinois
County of Cook
Approved this 24th day of April, 2010 by the PLATICE DEPARTMENT of the Village of Homewood, Cook County, Illinois.
Robert J. Cook
Robert J. Cook
Village Clerk

State of Illinois
County of Cook
I, John A. Price, Village Clerk of the Village of Homewood, Illinois, do hereby certify that there are no objections or unpaid taxes or financial obligations or any other matters which prevent the plat from being recorded on the day in and to the effect and to the intent and purpose herein set forth.
Dated this 10th day of April, 2010.
John A. Price
John A. Price
Village Clerk

I DO HEREBY CERTIFY THAT THE GENERAL TAXES DUE ON THE PROPERTY DESCRIBED HEREIN HAVE BEEN PAID AS OF THE DATE OF RECORDING OF THIS PLAT.
John A. Price
John A. Price
Village Clerk

Table with columns: REVISIONS, DATE, FILE NO 15044, DATE 03/20/10. Includes contact info for GEODETIC SURVEY, LTD.



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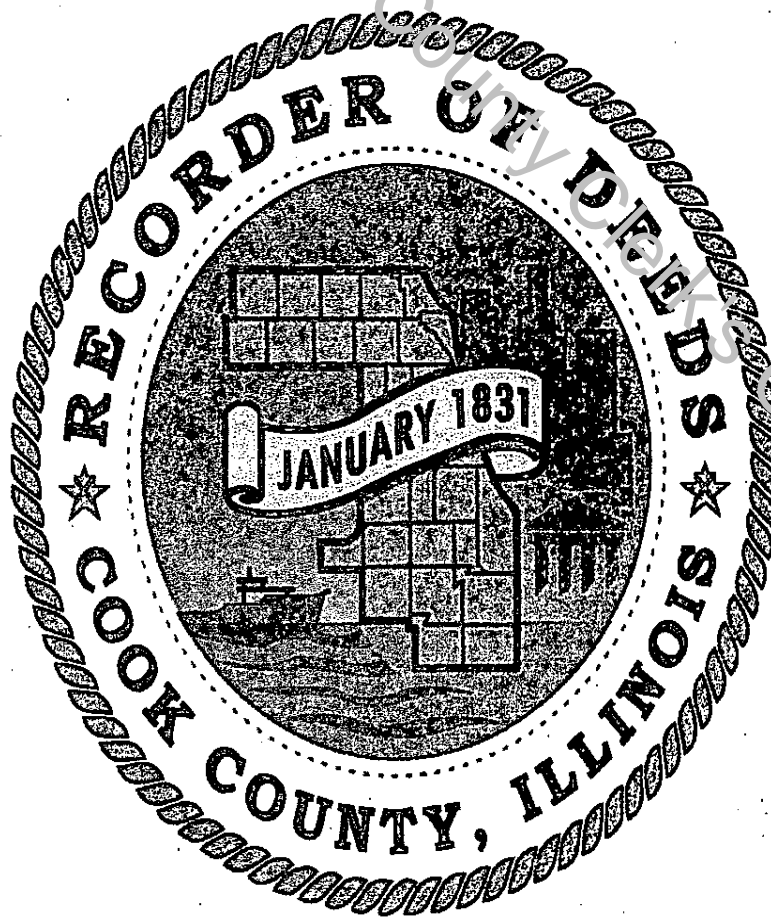
Doc# 2025417031 Fee \$138.00

EDWARD M. MOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 09/10/2020 02:43 PM PG: 1 OF 0

COOK COUNTY RECORDER OF DEEDS
PLAT
DOCUMENTS WITH THIS PLAT



17/at
8.00

133.00

IMAGE STORED IN PLAT INDEX DATABASE