	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>		Agenda Item number: *4e
	Title:	<b>Recommendation to approve Plat of Vacation for 407 S. 5<sup>th</sup> St.</b>	
	Presenter:	<b>Rachel Hitzemann</b>	
<b>Meeting:</b> Planning & Development Committee		<b>Date:</b> June 10, 2024	
<b>Proposed Cost:</b> \$		<b>Budgeted Amount:</b> \$	<b>Not Budgeted:</b> <input type="checkbox"/>
<b>TIF District:</b> None			
<b>Executive Summary</b> (if not budgeted, please explain):			
<p>A plat of Vacation has been submitted by Zach Derrico at the subject property in order to add an addition onto the garage. The parcel is part of a two-lot resubdivision that was approved late last year. All new subdivisions require a 10ft rear yard easement. The applicants would like to vacate 3ft of the 10ft easement to add an addition onto the garage.</p> <p>The original subdivision is old and there are no easements on any of the other lots within the original subdivision. Additionally, no utilities are located within the easement.</p> <p>The property is located within the Historic District and the Historic Commission has already given approval for the addition.</p>			
<b>Attachments</b> (please list):			
Plan Commission Recommendation, Plat of Easement			
<b>Recommendation/Suggested Action</b> (briefly explain):			
Recommendation to approve Plat of Vacation for 407 S 5 <sup>th</sup> St.			

**City of St. Charles, Illinois**  
**Plan Commission Resolution No. 8-2024**

**A Resolution Recommending Approval of a Plat of Vacation for 407 S. 5<sup>th</sup> St.  
(ZJD LLC)**

**Passed by Plan Commission on June 4, 2024**

WHEREAS, it is the responsibility of the St. Charles Plan Commission to review requests for Plats of Vacation; and

WHEREAS, the Plan Commission has reviewed the Plat of Vacation for 407 S 5<sup>th</sup> St. (ZJD LLC); and

WHEREAS, the Plan Commission finds the Plat of Vacation to be in conformance with the requirements of Title 16 of the City Code entitled, “Subdivisions and Land Improvement” and Title 17, Chapter 17.12-Residential Districts.

NOW, THEREFORE, be it resolved by the St. Charles Plan Commission to recommend to the City Council approval of the Plat of Vacation for 407 S 5<sup>th</sup> St. (ZJD LLC).

Roll Call Vote:

Ayes: Moad, Wiese, Ewoldt, Rosenberg, Gruber, Fitzgerald, Vargulich, Lawson

Nays: None

Absent: Funke

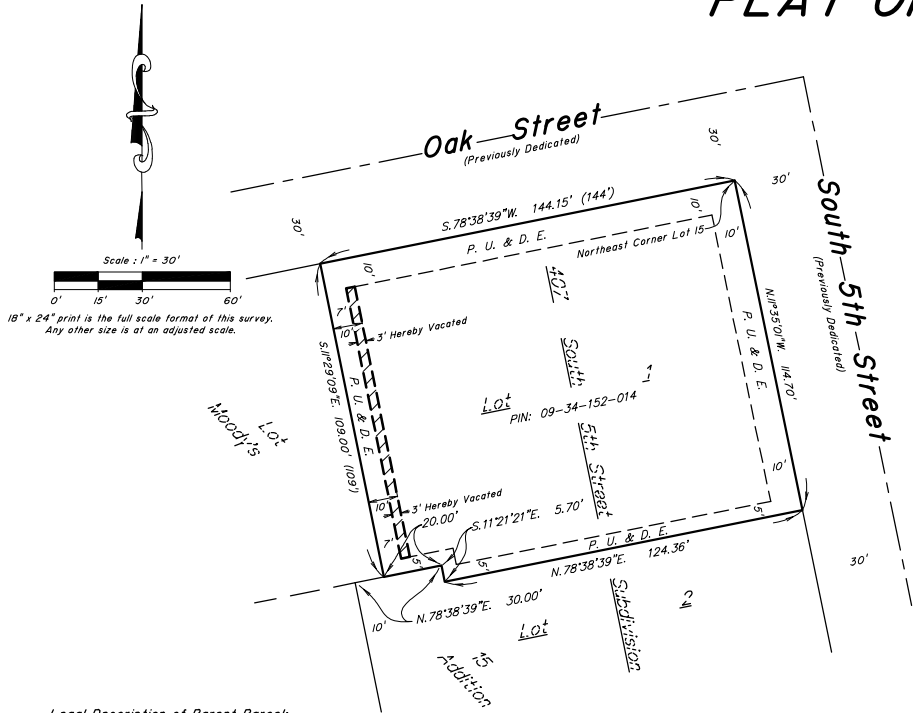
Motion carried: 8-0

PASSED, this 4th day of June 2024.

---

Chairman  
St. Charles Plan Commission

# PLAT OF VACATION



Scale: 1" = 30'  
 0' 15' 30' 60'  
 18" x 24" print is the full scale format of this survey.  
 Any other size is of an adjusted scale.

**Legal Description of Parent Parcel:**

Lot 1 of 407 South 5th Street Subdivision, being a subdivision of that part of Lot 15 of Moody's Addition to St. Charles, in the City of St. Charles, Kane County, Illinois according to the plat thereof recorded December 28, 2023 as Document 2023K045174.

**Legal Description of Public Utility and Drainage Easement Hereby Vacated:**

The East 3 feet of the West 10 feet (except the North 10 feet and the South 5 feet thereof) of Lot 1 of 407 South 5th Street Subdivision, being a subdivision of part of Lot 15 of Moody's Addition to St. Charles, in the City of St. Charles, Kane County, Illinois.

**Legend**

- Indicates Public Utility & Drainage Easement Hereby Vacated
- Indicates Property Line
- Indicates Easement Line
- P. U. & D. E. Indicates Public Utility & Drainage Easement

**Owner's Certificate:**

State of Illinois }  
 County of Kane } ss

This is to certify that Robert Greenlee and Brook Greenlee are the owners Lot 1 of 407 South 5th Street Subdivision and has caused the same to be platted as indicated herein, for the uses and purposes therein set forth and does hereby vacate the public utility and drainage easements as shown hereon.

Dated this \_\_\_\_\_th day of \_\_\_\_\_ A.D., 2024.

By: \_\_\_\_\_  
 Robert Greenlee (Owner)

By: \_\_\_\_\_  
 Brook Greenlee (Owner)

**Notary Public:**

State of Illinois }  
 County of Kane } ss

I, \_\_\_\_\_ a notary public in and for the County and State aforesaid, do hereby certify that Robert Greenlee and Brook Greenlee who, are personally known to me to be the same whose names are subscribed to the foregoing certificate, appeared before me this day in persons and acknowledged that they did sign and deliver this instrument as a free and voluntary act for the uses and purposes herein set forth.

Given under my hand and notarial seal this \_\_\_\_\_th day of \_\_\_\_\_ A.D., 2024.

Notary Public  
 My commission expires \_\_\_\_\_

**Mortgagee's Certificate:**

State of Illinois }  
 County of Kane } ss

Approved and accepted by The Harvard State Bank, as Mortgagee.

Dated at \_\_\_\_\_ this \_\_\_\_\_th day of \_\_\_\_\_, 2024.

By: \_\_\_\_\_ Attest: \_\_\_\_\_

**Notary Public:**

State of Illinois }  
 County of Kane } ss

I, \_\_\_\_\_ a notary public in and for the County and State aforesaid, do hereby certify that \_\_\_\_\_ and \_\_\_\_\_ who, are personally known to me to be the same whose names are subscribed to the foregoing certificate, appeared before me this day in persons and acknowledged that they did sign and deliver this instrument as a free and voluntary act for the uses and purposes herein set forth.

Given under my hand and notarial seal this \_\_\_\_\_th day of \_\_\_\_\_ A.D., 2024.

Notary Public  
 My commission expires \_\_\_\_\_

**Owner's Certificate:**

State of Illinois }  
 County of Kane } ss

This is to certify that ZJD LLC is the owner Lot 2 of 407 South 5th Street Subdivision and does hereby consent to vacate the public utility and drainage easements as shown hereon.

Dated this \_\_\_\_\_th day of \_\_\_\_\_ A.D., 2024.

By: \_\_\_\_\_  
 ZJD LLC, by Zachary Derrico, Managing Member

**Notary Public:**

State of Illinois }  
 County of Kane } ss

I, \_\_\_\_\_ a notary public in and for the County and State aforesaid, do hereby certify that Zachary Derrico is personally known to me to be the same whose name is subscribed to the foregoing certificate, appeared before me this day in persons and acknowledged that they did sign and deliver this instrument as a free and voluntary act for the uses and purposes herein set forth.

Given under my hand and notarial seal this \_\_\_\_\_th day of \_\_\_\_\_ A.D., 2024.

Notary Public  
 My commission expires \_\_\_\_\_

**City Council Certificate:**

Approved and accepted this \_\_\_\_\_th day of \_\_\_\_\_ A.D., 2024.

Dated this \_\_\_\_\_th day of \_\_\_\_\_, 2024.  
 City Council of City of St. Charles, Illinois.

Mayor  
 Attest: \_\_\_\_\_  
 City Clerk

**Surveyor's Certificate:**

State of Illinois }  
 County of Kane } ss

I, Shawn R. VanKampen, Illinois Professional Land Surveyor No. 2170, do hereby certify that the plat hereon drawn was prepared under my direction for the purpose of vacating a public utility and drainage easement as hereon shown and is a correct representation of said easement.

Dated at Batavia, Illinois, this 29th day of May, 2024.

**PRELIMINARY**

Shawn R. VanKampen  
 Illinois Professional Land Surveyor No. 2170  
 License expiration date: November 30, 2024



ADVANCED SURVEYING & MAPPING

PREPARED BY:

**ASM** Consultants, Inc.  
 16 E Wilson St, Batavia IL 60510  
 (630) 879-0200 - advanced@advct.com  
 Professional Design Firm# 184-006014  
 Expires 4/30/2025

© COPYRIGHT 2024, ASM CONSULTANTS, INC. ALL RIGHTS RESERVED.

© COPYRIGHT 2024, ASM CONSULTANTS, INC. ALL RIGHTS RESERVED.