

City of St. Charles, IL
Ordinance No. 2024-Z-__

**An Ordinance Granting Approval of a Plat of Easement Vacation for 407 S.
5th St.**

WHEREAS, a Plat of Easement Vacation in regards to 407 S 5th St. were submitted to the City of St. Charles (“City”) on or about May 29, 2024, by Zach Derrico, ZJD LLC; and

WHEREAS, the Plan Commission recommended approval of said Plat on June 4, 2024; and,

WHEREAS, the Planning and Development Committee of the City Council recommended approval of said Plat on June 10, 2024; and,

WHEREAS, the City Council of the City of St. Charles received the recommendation of the Planning and Development Committee of the City Council and has considered the same.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, as follows:

1. That passage of this Ordinance shall constitute approval of the following documents, incorporated herein as Exhibit “A”, such that the following documents and illustrations are hereby approved, reduced copies of which are attached hereto, subject to satisfactory resolution of all outstanding staff review comments and compliance with such conditions, corrections, and modifications as may be required by the Director of Community Development and the Director of Public Works to comply with the requirements of the St. Charles Municipal Code:

- Plat of Easement Vacation; ASM Consultants, Inc.;

2. That after the adoption and approval hereof the Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 17th day of June 2024.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 17th day of June 2024.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 17th day of June 2024.

Lora A. Vitek, Mayor

Attest:

Nancy Garrison, City Clerk

Vote:

Ayes:

Nays:

Absent:

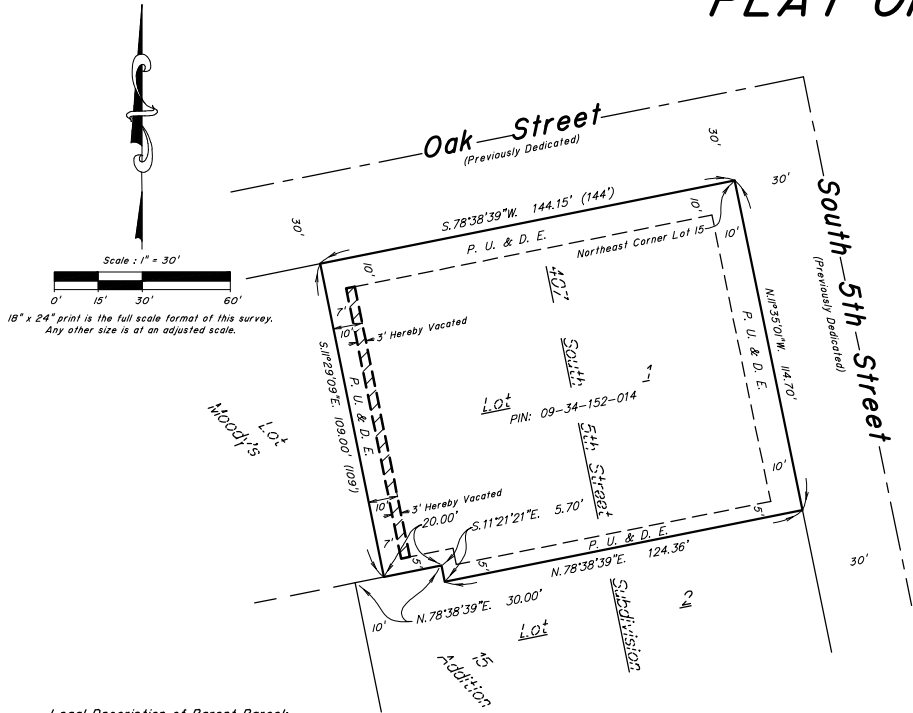
Abstain:

Date: _____

EXHIBIT "A"

PLAT OF VACATION

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



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

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