



Lake County Illinois

Legislation Text

File #: 08-0396, **Version:** 1

Joint Resolution in the matter of the petition of David L. Jones and Linda M. Jones, as record owners, to vacate a portion of Sherwin Avenue located south of Lot 19 in vacated resubdivision of Simon's Klondike Subdivision and North of Lot 97 in Simon's Klondike Subdivision and Lot 24 in the First Addition to Simon's Klondike Subdivision, Antioch Township, Lake County, Illinois. The Board of Vacation by a vote of 3 "ayes" and 0 "nays" recommends that the vacation request be approved subject to the conditions expressed in Exhibit "A" attached. On the motion "to approve" the prayer of the petitioner, your Planning, Building and Zoning Committee and Financial and Administrative Committee votes are: Planning, Building and Zoning Committee: 7 "ayes" and 0 "nays"; Financial and Administrative Committee: 4 "ayes" and 0 "nays".

- The applicants have submitted an application to vacate a portion of Sherwin Avenue located south of Grass Lake Road and east of Lake Street.
- The applicants own the properties located adjacent to the right-of-way proposed for vacation, subsequently, they are the sole applicants in the vacation request.
- The applicants have been using the right-of-way for approximately 30 years and would like to obtain the right-of-way so they can combine the right-of-way with their two adjacent parcels. There are no planned improvements to either property at this time.
- The Board of Vacation held a public hearing on June 25, 2008 and unanimously recommends that the vacation be granted subject to conditions related to: 1.) the lots to the south be combined with the south half of Sherwin Avenue and the north half of Sherwin Avenue be combined with Lot #19 to the north, and 2.) the establishment of a common access easement for both lots.
- The cost of the purchase is projected to be \$19, 811.

WHEREAS, after reviewing the testimony presented at the aforementioned public hearing of the Board of Vacation, said Board has submitted its recommendation and report to the Planning, Building and Zoning Committee and the Financial and Administrative Committee; and

WHEREAS, the Board of Vacation recommends by a vote of 3-0 that the vacation request described above be granted subject to the conditions expressed in Exhibit "A" attached, and;

WHEREAS, the Board also stated that due to evidence that the right-of-way is integral to the conveyance and management of storm water in the area, any future development involving the subject right-of-way shall require a Site Development Permit, and the applicant shall demonstrate that storm water will be managed in accordance with the provisions of the Unified Development Ordinance; and

WHEREAS, on July 29, 2008, the Planning, Building and Zoning Committee of the said County Board duly considered the petition and report, and by a vote of ____ "Ayes", ____ "Nays" recommend that above-described street vacation request be granted subject to the condition expressed in Exhibit "A" attached; and

WHEREAS, on August 6, 2008, the Financial and Administrative Committee of the said County

Board duly considered the petition and report, and by a vote of ____ "Ayes", ____ "Nays" recommend that above-described street vacation request be granted subject to the condition expressed in Exhibit "A" attached.

NOW, THEREFORE, BE IT RESOLVED by the Lake County Board that the public right-of-way, as described above, is hereby vacated and those portions of said plat of subdivision is hereby revoked, annulled and set aside subject to the condition expressed in Exhibit "A" attached to this resolution.

BE IT FURTHER RESOLVED, that this resolution shall take effect and be in force for and after its passage provided that said petitioners shall after the passage of this resolution, file for recording in the office of the County Recorder of Deeds, a certified copy of this resolution, the Deeds of Vacation and the proper vacation instrument(s) that satisfy the conditions expressed in Exhibit "A".