File #: 23-0327, **Version:** 1

Resolution to vacate an unimproved portion of Midway Street located in the Allen City Subdivision in Cuba Township.

- John Kadlec and John Cassara, record owners, are requesting vacation of an unimproved section of Midway Street, adjacent to 23889 N. River Road and 23865, N. River Road, Cary, Illinois. The portion of unimproved right-of-way to be vacated is 68.33 feet wide, extends from N. River Road 125 feet, and consists of 0.19 acres.
- The Board of Vacations held a public hearing on September 28, 2022, and November 30, 2022 and recommended by unanimous vote to grant the vacation.
- Following a recommendation by Planning, Building, Zoning and Environment Committee, the vacation request will proceed to the County Board for final action.

RESOLUTION

WHEREAS, on September 28, 2022 and November 30, 2022, public hearings were held before the Board of Vacations pursuant to Section 151.204 of the Lake County, Illinois Code of Ordinances, as amended, on the petition of John Kadlec and John Cassara, record owners, requesting a vacation of an unimproved section of Midway Street 68.33 feet wide that extends from N. River Road 125 feet, and consists of 0.19 acres, located in the Allen City Subdivision, Cary, Illinois, and more fully described as follows:

That part of Midway Street in Allen City Subdivision, being a subdivision of part of Lot 1 and all of Lots 2 and 3 of the School Trustee's Subdivision West Division of Section 16, Township 43 North, Range 9, east of the third principal meridian, according to the plat of said Allen City Subdivision, recorded August 10, 1925, in book "O" of plats, page 39 as document 262949 in Lake County, Illinois, described as follows: Beginning at the southwest corner of Lot 7 in said subdivision, thence east 125 feet along the south line of said Lot 7; to the southeast corner of said lot 7; thence southwesterly a distance of 68.33 feet to the northeast corner of Lot 6 in said subdivision; thence west along the north line of said Lot 6, a distance of 125 feet to the northwest corner of said Lot 6; thence northeasterly, a distance of 68.33 feet to the point of beginning; and

WHEREAS, the petitioners are the owners of the following parcels of real estate, to-wit:

Lot 6 in Allen City Subdivision, a subdivision part of Lot 1 and all of Lots 2 and 3 of the School Trustee's Subdivision West Division of Section 16, Township 43 North, Range 9 east of the Third Principal Meridian, according to the plat of said Allen City Subdivision recorded August 10, 1925, in Book "O" of Plats, Page 39, as document 262949 in Lake County Illinois, PIN

13-16-101-009; and

Lots 7 and 8 in the Allen City Subdivision, a subdivision of part of Lot 1 and all of Lots 2 and 3 of the School Trustee's Subdivision West Division of Section 16, Township 43 North, Rage 9 east of the Third Principal Meridian, according to the plat of said Allen City Subdivision recorded August 10, 1925 in Book "O" of Plats, Page 39, as document 26294, in Lake County, Illinois, PIN 13-16-101-008;

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

WHEREAS, the Board of Vacations recommends approval of the vacation request based on the following findings: 1) The 15-foot easement satisfies the Cuba Township Road Commissioner request to keep the area clear for drainage; 2) There is no homeowner's association or official public organization that would be able to maintain this area; 3) The land is serving no public interest as it was designated on the plat for a road; 4) The vacation would potentially relieve the County of any possible liability and place the property in private ownership on the tax rolls.

NOW, THEREFORE, BE IT RESOLVED, by the Lake County Board that the public right-of-way, as described above, is hereby vacated and that portion of said plats of subdivision are hereby revoked, annulled, and set aside; and

BE IT FURTHER RESOLVED, that this resolution shall take effect and be in force for and after its passage provided that said petitioner shall after the passage of this resolution, file for recording with the Recording Division of the Lake County Clerk's Office, a certified copy of this resolution, the application, and the Deed of Vacation.

DATED at Waukegan, Illinois, on November 14, 2023.