

**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: 4.b

Title:

Presentation to Consider Closing Walkway Path through Lots 5,6,13 and 14 of the Fox Glade Subdivision

Presenter:

Peter Suhr

Meeting: Government Services Committee

Date: October 24, 2016

Proposed Cost: \$0.0

Budgeted Amount: \$0.0

Not Budgeted: ☐**Executive Summary** (*if not budgeted please explain*):

In January 2013, the Government Services Committee unanimously approved a motion to approve four (4) Fox Glade Court Indemnification Letters (attachment c). This was requested from four (4) homeowners whose properties share a common side yard easement which is identified on a 1969 plat as a “Walkway Easement” (attachment d). The four property owners reside at 1309, 1227, 1228 and 1310 Fox Glade Ct. and respectively on lots 5, 6, 13 and 14 of the Fox Glade PUD Subdivision Unit No. 1 final plat dated Aug. 4, 1969 (attachment e). In 2013, the four (4) homeowners were concerned about the potential impacts of a public sidewalk on private property. The Indemnification Letters settled their concern once approved, executed and recorded.

Today, the properties are still owned and occupied by the same four (4) families. They have recently submitted an application (attachment f) to the City requesting us to vacate the walkway easement on their private property. The application provides various reasons for the request including increased activity/ concerns about safety, security, privacy, nuisances, disturbances, legal exposure and potential devalued property values.

At the September 26th Government Services Committee Meeting, Staff provided more detailed information about the situation, City residents spoke and provided perspective and Committee members had additional questions for staff to consider.

In response, over the past 30 days, City staff has met with the homeowners, gathered more information and are prepared to answer the questions committee members posed last month in a continued discussion (attachment a). In addition, please find attached a letter dated 17 October 2016 that staff received from the Oaks and integrated comments from the neighbors (attachment b).

Attachments (*please list*):

(a) Staff Response to Questions from September GSC Meeting * (b) Letter from The Oaks dated 17 October 2016 & Homeowners Comments * (c) 2013 Indemnification Letters * (d) 1969 Fox Glade P.U.D. Subdivision Unit No. 1 Plat * (e) Reference Site Maps * (f) Application to City of Saint Charles, Illinois for Homeowners Requesting Vacate Walkway Easement on Their Private Property

Recommendation/Suggested Action (*briefly explain*):

None – For discussion only

Questions from:

Presentation to Consider Closing Walkway Path through Lots 5, 6, 13 and 14 of the Fox Glade Subdivision

Government Services Committee Meeting
September 26, 2016

1. Q. *Are there any more of these types of walkways in St. Charles? Is this the only easement on private property and does that affect our decision from a legal perspective?*

A. Staff has been able to find twenty-four (24) examples of similar walkways in St. Charles. However there are only four (4) walkways that are designated as easements on private property like the walkway on Fox Glade Court. The most similar walkway extends from Rita Ave. to Cambridge Dr. which leads to Cambridge Park. While there are other similar walkways throughout town and at least four (4) know to be in easements on private property, each one is unique. For example, the Fox Glade Court path leads to a private community while the Rita Ave. path leads to a public park. Please see "Attachment A" for more detailed information.

2. Q. *Does Fellows St. dead end at Ash or does it continue through? Is the walkway in this area in an easement as well?*

A. Fellows St. dead ends about 165 feet east of the intersection of Ash and Fellows. The Fox Glade walkway path connects to the end of the dead end street and continues to the west. Therefore the first 35 feet of the walkway path is in the Public ROW until it crosses over the property line into the walkway easement on private property. Please see "Attachment B" for more information.

3. Q. *On that strip of Fellows that goes to the east of Ash, is that roadway improved, is there sidewalks? What is on the other side of the path?*

A. The dead end roadway is improved. There are no sidewalks on either the north or south side of Fellows St. in this location. The walkway is an extension of Fellows St. to the west. Public sidewalks do not exist for about a block thereafter heading west. Please see "Attachment B" and "Attachment C" for more information.

4. Q. *What are the costs to take out the pathway and reseed it?*

A. Estimated costs are about \$6,500 - \$10,000 to remove the existing walkway and restore it to grass.

5. Q. *Safety seems to be the biggest concern of the residents based on their letter. Is this a problem area? Have there been issues that require Police attention? Is this an area that is normally patrolled?*

A. The Police Department does not have any violations or Police reports identified in this area. This area is patrolled by Police similar to other residential streets.

6. Q. *If we vacate this walkway, what is the process?*

A. If it is the decision of the City Council to eliminate the public interest for walkway use, the process for doing so is fairly simple according to legal counsel. While the exact process or mechanics of the arrangement has not yet been prepared one of the following would most likely be recommended at a future GSC meeting:

- a. Provide a quit claim deed to the adjacent homeowners conveying City's interest of the walkway to the homeowners.
- b. "Vacate" the walkway easement.
- c. Eliminate the walkway and restore to seed, however do not vacate or quit claim deed as noted above.

At this time, staff and legal counsel do not anticipate any PUD modifications or public hearings to do so.

7. Q. *What if we vacate the property, remove the path and restore to grass? Just because there is no path, people are still going to walk through out of force of habit. What can be done and would a utility easement still be in place?*

A. Staff would request that we maintain the utility easement considering there are existing utilities already in place. With appropriate approved permits, the homeowners would be able to determine how they would like to modify their existing fences and property. Options they could consider would be as follows:

- Block the existing path by adding gates or another fence panel.
- Remove the existing fences.
- Remove the existing fences and construct a new "shared fence" along the property line.
- Add landscaping to deter pedestrian cut-through on private property.

8. Q. *Who uses the walkway and how frequent is it used?*

A. While staff understands that this information may be important; we were not able to verify exact use. Staff did not have any practical method to calculate use in a consistent manner especially considering the short timeframe to do so. However, the homeowners did provide written and verbal descriptions of their perspective. Please refer to their letter dated, 09/09/2016 for more information.

9. Q. *What does “maintenance” mean in regard to the walkway? What exactly does the City do, what exactly does The Oaks do, what exactly do the homeowners do? Does the City remove snow on the walkway?*

A. This particular walkway, for all practical purposes, is maintained the same as all other residential city sidewalks and walkways. The City is responsible for regularly monitoring its condition and repairing or replacing when needed. The City utilizes staff and a combination of vendors who provide services to lift, grind or replace sidewalk/ walkway panels as directed by staff to mitigate tripping hazards and standing water. The City does not remove snow from residential city sidewalks and therefore does not remove snow from this particular walkway either. Even though our City ordinance is not specific about snow removal, it is generally understood and practiced that snow removal is the responsibility of the adjacent homeowner. Based on the discussion had at the last Government Services meeting and subsequent discussions with the homeowners, it appears that the homeowners currently remove the snow which would be consistent with other similar sidewalks. However, the Oaks representatives did offer to have their contract vendor do so.

10. Q. *What we can do to help? –Can we limit hours, can we add speed bumps, can we install gates similar to the bike path that goes across Crane Road along Randall?*

A. Soon after the Government Services meeting, staff contacted the residents to see if they would like to meet with the City and representatives from the Oaks to discuss possible compromised solutions. The residents were not interested in meeting and remain firm on their original position to vacate the walkway easement on their private property and stop pedestrians from using the path. Since asked, please find below some suggested actions that staff has considered, however have not pursued in detail:

- a. Limit hours – Post signs that limit use from dusk until dawn
- b. Limit use – Post signs that restrict motorized vehicles
- c. Add deterrent barriers – Add a gate, bollard, landscape and/ or combination fence system that would prevent defined uses or control limited hours. Add speed bumps.
- d. Work with homeowners to fortify backyard fence systems. Provide a fence barrier system that lessens noise problems, limits pet disturbances and protects private property.
- e. Add trash receptacles and/ or “doggie stations” for easy removal of debris.
- f. Increase Police patrol.
- g. Increase lighting levels to deter undesirable behavior.

ATTACHMENT A

Address	Street Name	Ownership Interest	Property Owner	Access Type
1801/803	Rita Avenue	Private	Home Owner	Easement
1160/1170	Independence Avenue	Private	Home Owner	Easement
1445/1455	Banbury Avenue	Private	Home Owner	Easement
1227/1309	Fox Glade Court	Private	Home Owner	Easement
1228/1310	Fox Glade Court	Private	Home Owner	Easement
254/248	Remington Drive	Private	HOA	Platted
257/259	Grand Ridge Road	Private	HOA	Platted
1221/1311	Adams Avenue	Private	Park District	Platted
395/445	Persimmon Drive	Private	Park District	Platted
2891/3001	Majestic Oaks Drive	Private	Park District	Platted
3013	King Richard Circle	Private	Park District	Platted
1801/1723	Jeanette Avenue	Public	COSC	Platted
1802/1804	Cambridge Drive	Public	COSC	Platted
1908/1910	Ronzheimer Avenue	Public	COSC	Platted
1342/1344	Midway Avenue	Public	COSC	Platted
1804/1806	Ronzheimer Avenue	Public	COSC	Platted
1142/1240	Hidden Glen Circle	Public	COSC	Platted
1840/1846	Allen Lane	Public	COSC	Platted
2010/2020	Forest Ridge Road	Public	COSC	Platted
403/405	Pin Oak Court	Public	COSC	Platted
2010/2020	Fairfax Road	Public	COSC	Platted
615/621	Fellows Street	Public	COSC	Platted
1232/1238	South 10th Street	Public	COSC	Platted
3635/3701	Deville Lane	Public	COSC	Platted



City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

254/248 Remington Drive Walkway

RAYMOND ROGINA

Mayor

MARK KOENEN

City Administrator



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: October 3, 2016 10:37 AM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Powered by InRoads GIS



City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

257/259 Grand Ridge Road Walkway

RAYMOND ROGINA

Mayor

MARK KOENEN

City Administrator



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: October 3, 2016 10:41 AM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Powered by InRoads GIS

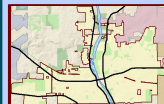


City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

395/445 Persimmon Drive Walkway

RAYMOND ROGINA *Mayor*
MARK KOENEN *City Administrator*



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: October 3, 2016 10:48 AM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Powered by InRoads GIS

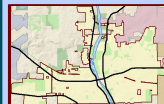


City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

403/405 Pin Oak Court Walkway

RAYMOND ROGINA *Mayor*
MARK KOENEN *City Administrator*



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: September 30, 2016 09:23 AM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Powered by InRoads GIS



City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

615/621 Fellow St. Walkway

RAYMOND ROGINA *Mayor*
MARK KOENEN *City Administrator*



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: October 3, 2016 10:34 AM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Powered by InRoads GIS



City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

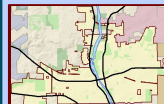
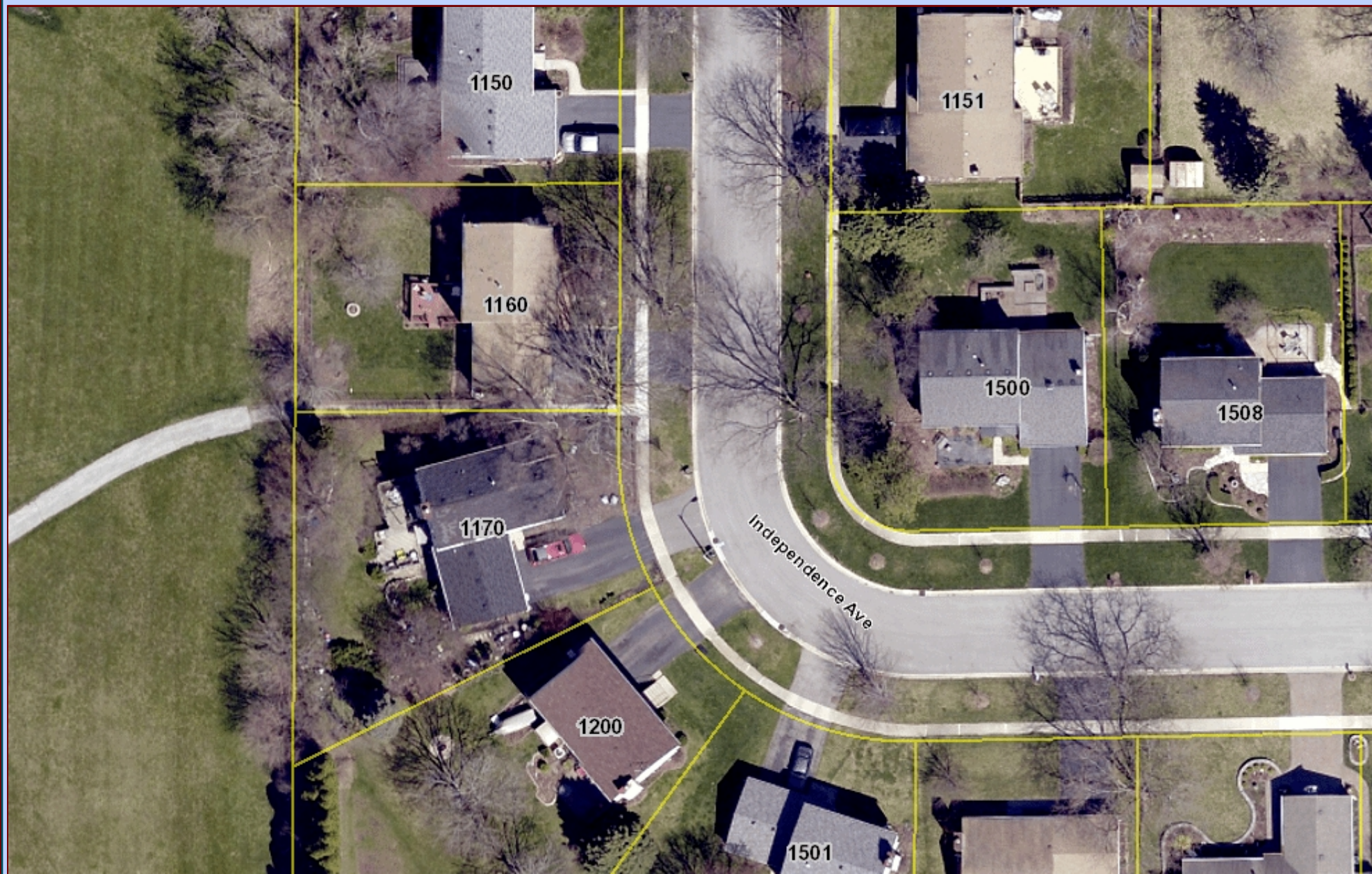
1160/1170 Independence Avenue Walkway

RAYMOND ROGINA

Mayor

MARK KOENEN

City Administrator



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: September 29, 2016 04:22 PM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Revised for Inclusion GIS

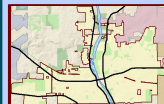


City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

1221/1311 Adams Avenue Walkway

RAYMOND ROGINA *Mayor*
MARK KOENEN *City Administrator*



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: October 3, 2016 10:46 AM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Powered by InRoads GIS



City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

1227/1309 Fox Glade Ct. Walkway

RAYMOND ROGINA *Mayor*
MARK KOENEN *City Administrator*



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: October 3, 2016 10:31 AM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Powered by InRoads GIS

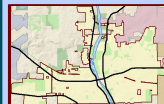


City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

1228/1310 Fox Glade Ct. Walkway

RAYMOND ROGINA *Mayor*
MARK KOENEN *City Administrator*



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: October 3, 2016 10:32 AM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Powered by InRoads GIS

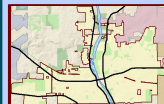


City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

1232/1238 S 10th Street Walkway

RAYMOND ROGINA *Mayor*
MARK KOENEN *City Administrator*



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: October 3, 2016 10:35 AM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Powered by InRoads GIS



City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

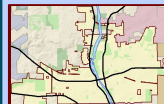
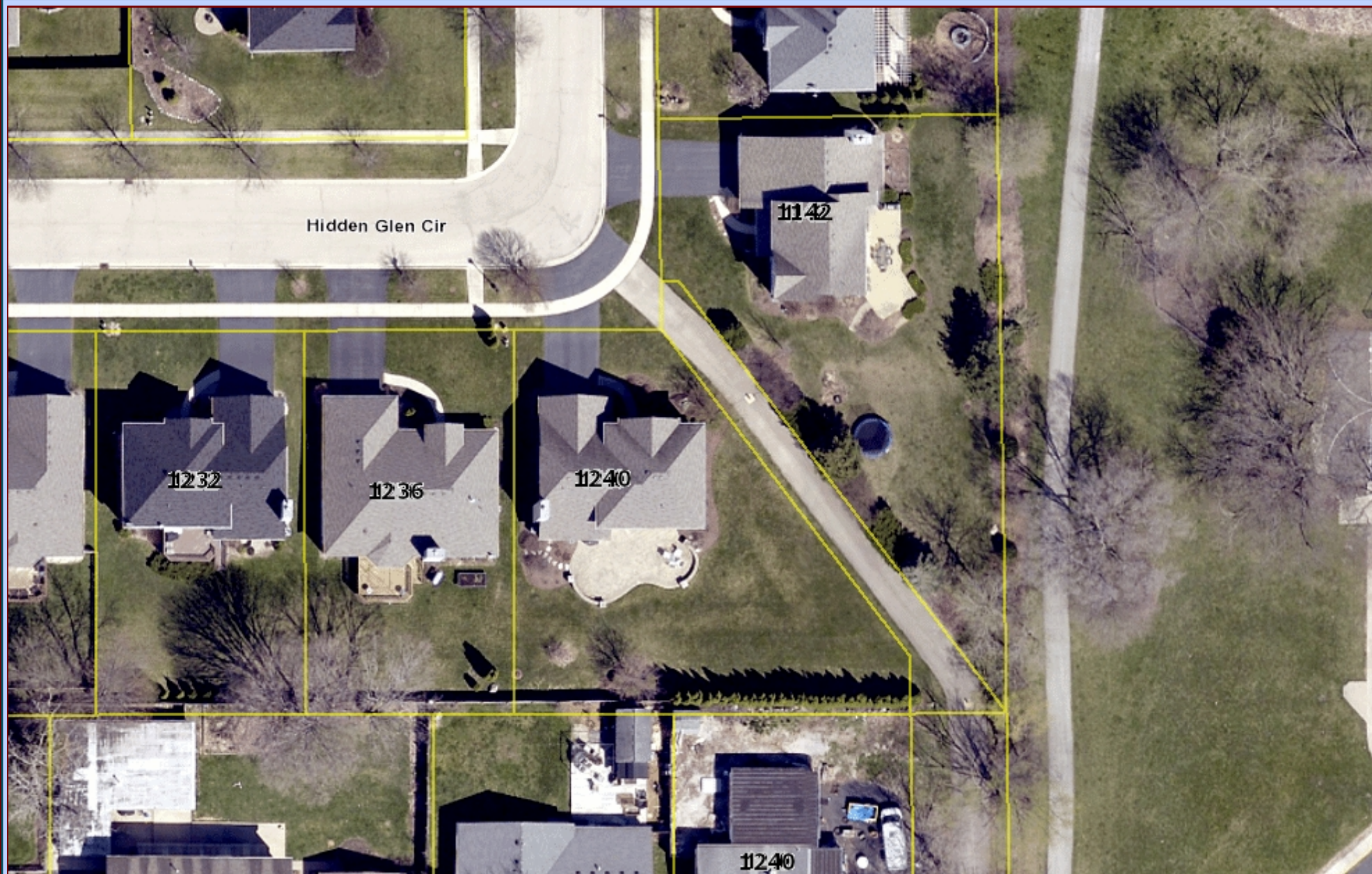
1142/1240 Hidden Glen Circle Walkway

RAYMOND ROGINA

Mayor

MARK KOENEN

City Administrator



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: September 30, 2016 08:55 AM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Powered by InRoads GIS



City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

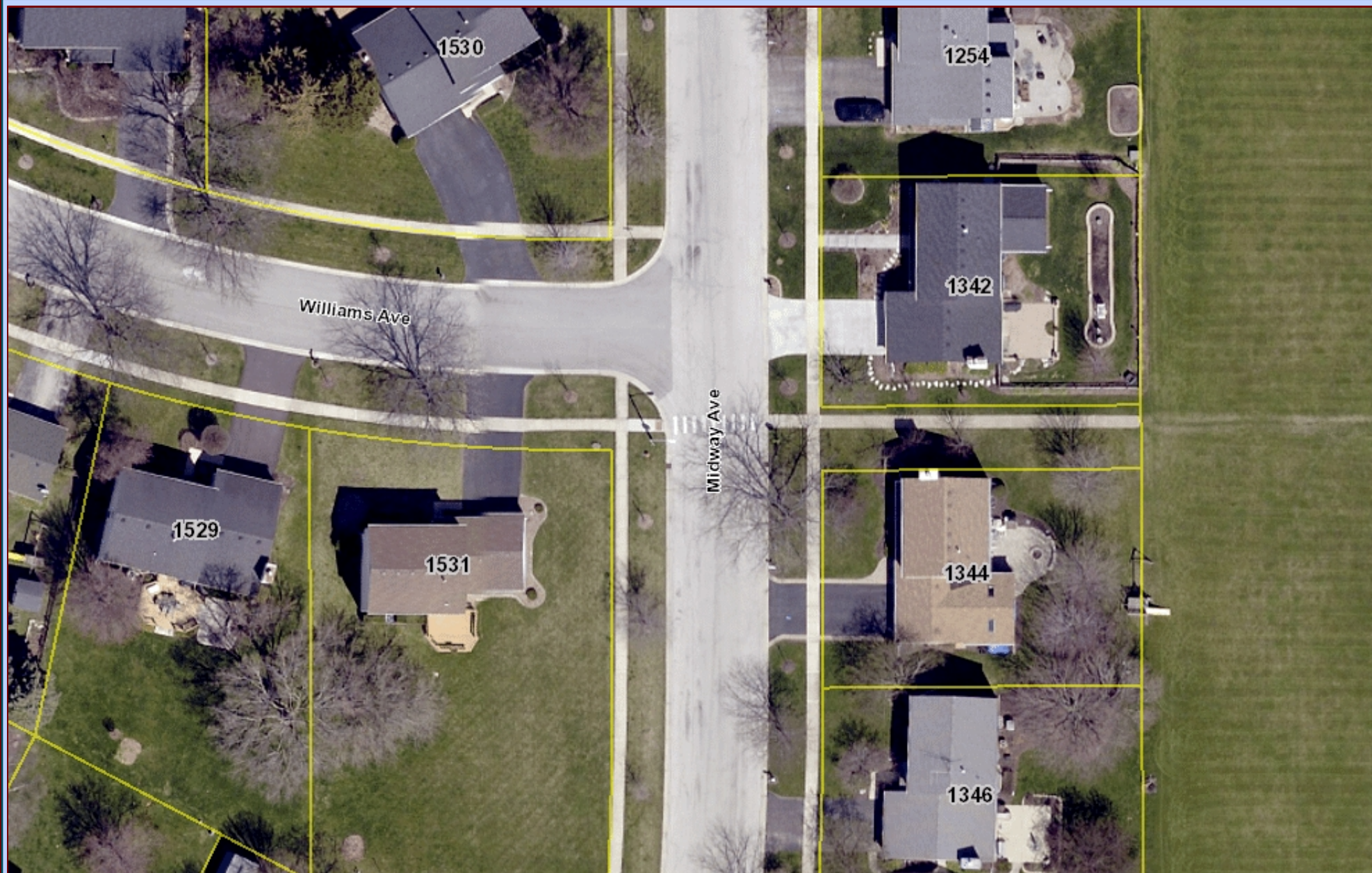
1342/1344 Midway Avenue Walkway

RAYMOND ROGINA

Mayor

MARK KOENEN

City Administrator



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: September 29, 2016 04:26 PM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Powered by InRoads GIS



City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

1435/1445 Banbury Avenue Walkway

RAYMOND ROGINA

Mayor

MARK KOENEN

City Administrator



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: September 30, 2016 08:52 AM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Powered by InRoads GIS

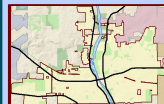


City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

1801/1723 Jeanette Avenue Walkway

RAYMOND ROGINA *Mayor*
MARK KOENEN *City Administrator*



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: September 29, 2016 04:29 PM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Powered by InRoads GIS



City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

1801/1803 Rita Avenue Walkway

RAYMOND ROGINA *Mayor*
MARK KOENEN *City Administrator*



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: September 29, 2016 04:27 PM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Powered by InRoads GIS



City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

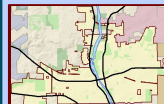
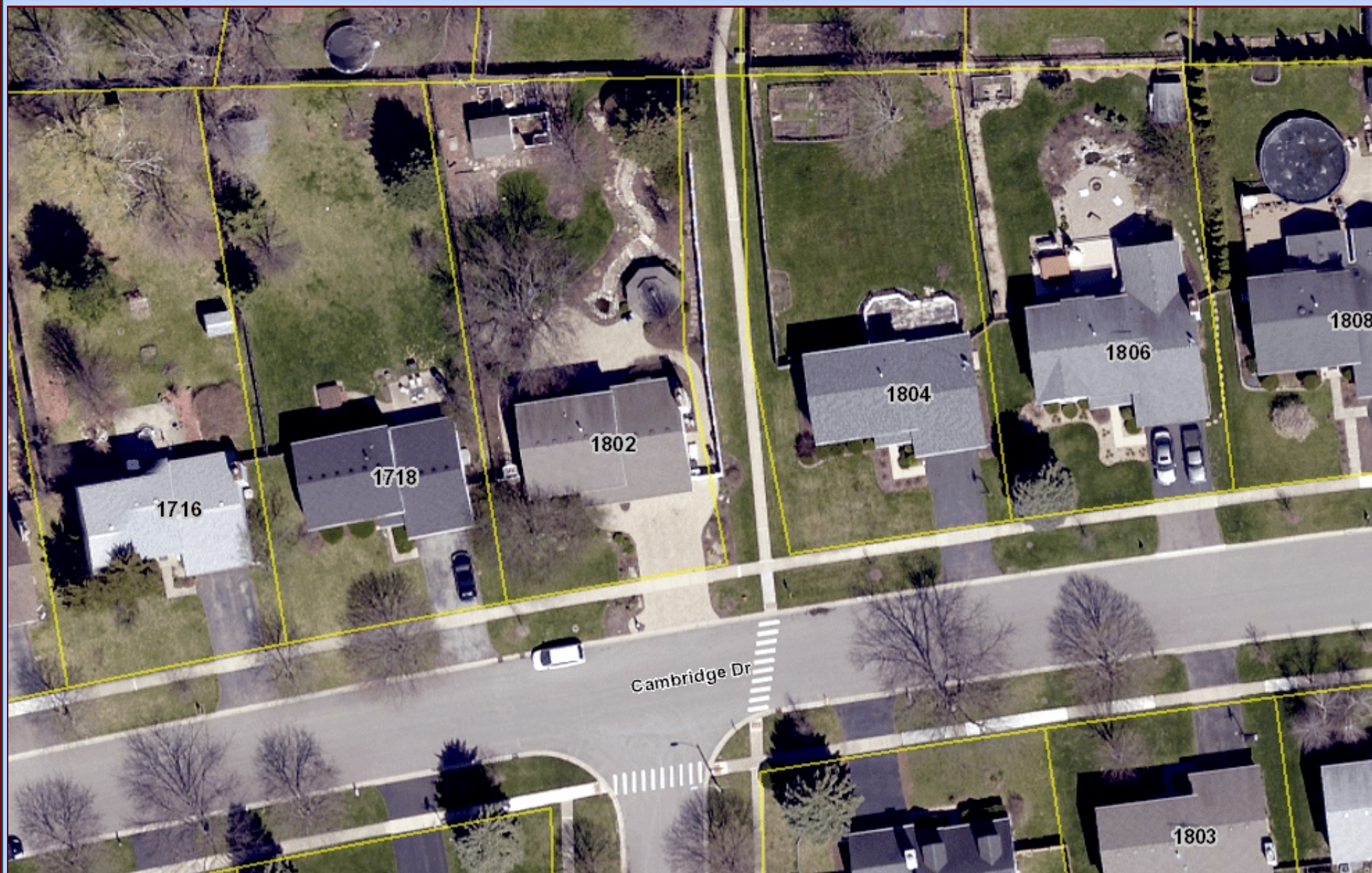
1802/1804 Cambridge Drive Walkway

RAYMOND ROGINA

Mayor

MARK KOENEN

City Administrator



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: September 29, 2016 04:28 PM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Powered by InRoads GIS



City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

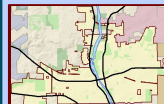
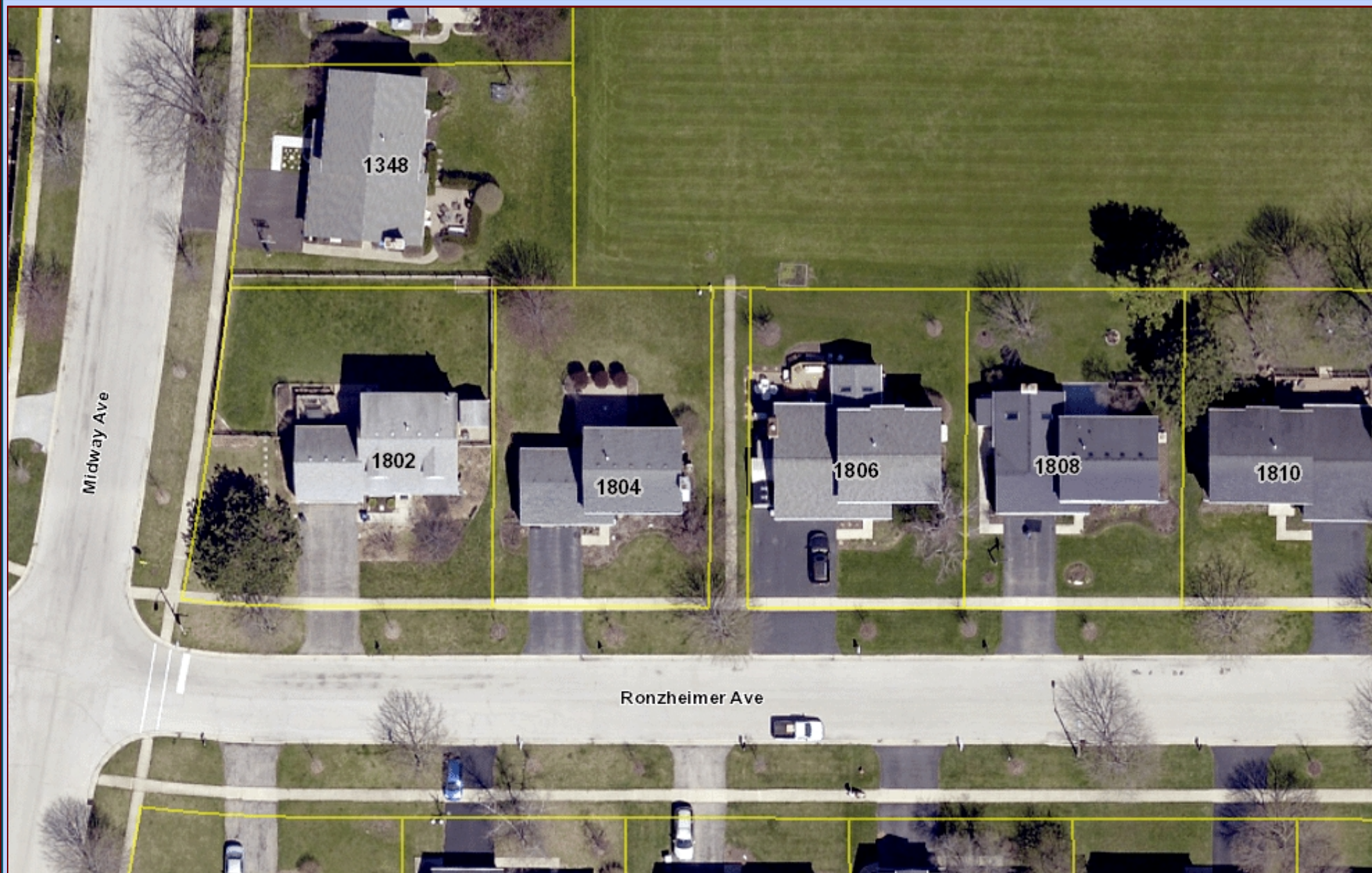
1804/1806 Ronzheimer Avenue Walkway

RAYMOND ROGINA

Mayor

MARK KOENEN

City Administrator



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: September 29, 2016 04:24 PM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Powered by InRoads GIS

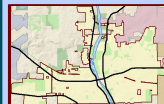


City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

1840/1846 Allen Lane Walkway

RAYMOND ROGINA *Mayor*
MARK KOENEN *City Administrator*



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: September 30, 2016 08:57 AM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Powered by InRoads GIS



City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

1908/1910 Ronzheimer Avenue Walkway

RAYMOND ROGINA

Mayor

MARK KOENEN

City Administrator



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: September 29, 2016 04:25 PM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Powered by InRoads GIS



City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

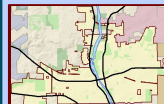
2010/2020 Fairfax Road Walkway

RAYMOND ROGINA

Mayor

MARK KOENEN

City Administrator



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: October 3, 2016 10:29 AM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Revised for Inclusion GIS



City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

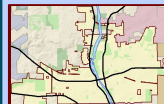
2010/2020 Forest Ridge Road Walkway

RAYMOND ROGINA

Mayor

MARK KOENEN

City Administrator



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: September 30, 2016 09:20 AM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Powered by InRoads GIS



City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

2891/3001 Majestic Oaks Road Walkway

RAYMOND ROGINA

Mayor

MARK KOENEN

City Administrator



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: October 3, 2016 10:53 AM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Revised for Precision GIS



City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

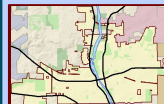
3013 King Richard Circle Walkway

RAYMOND ROGINA

Mayor

MARK KOENEN

City Administrator



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: October 3, 2016 10:57 AM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Powered by InRoads GIS



City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

3635/3701 Deville Lane Walkway

RAYMOND ROGINA *Mayor*
MARK KOENEN *City Administrator*



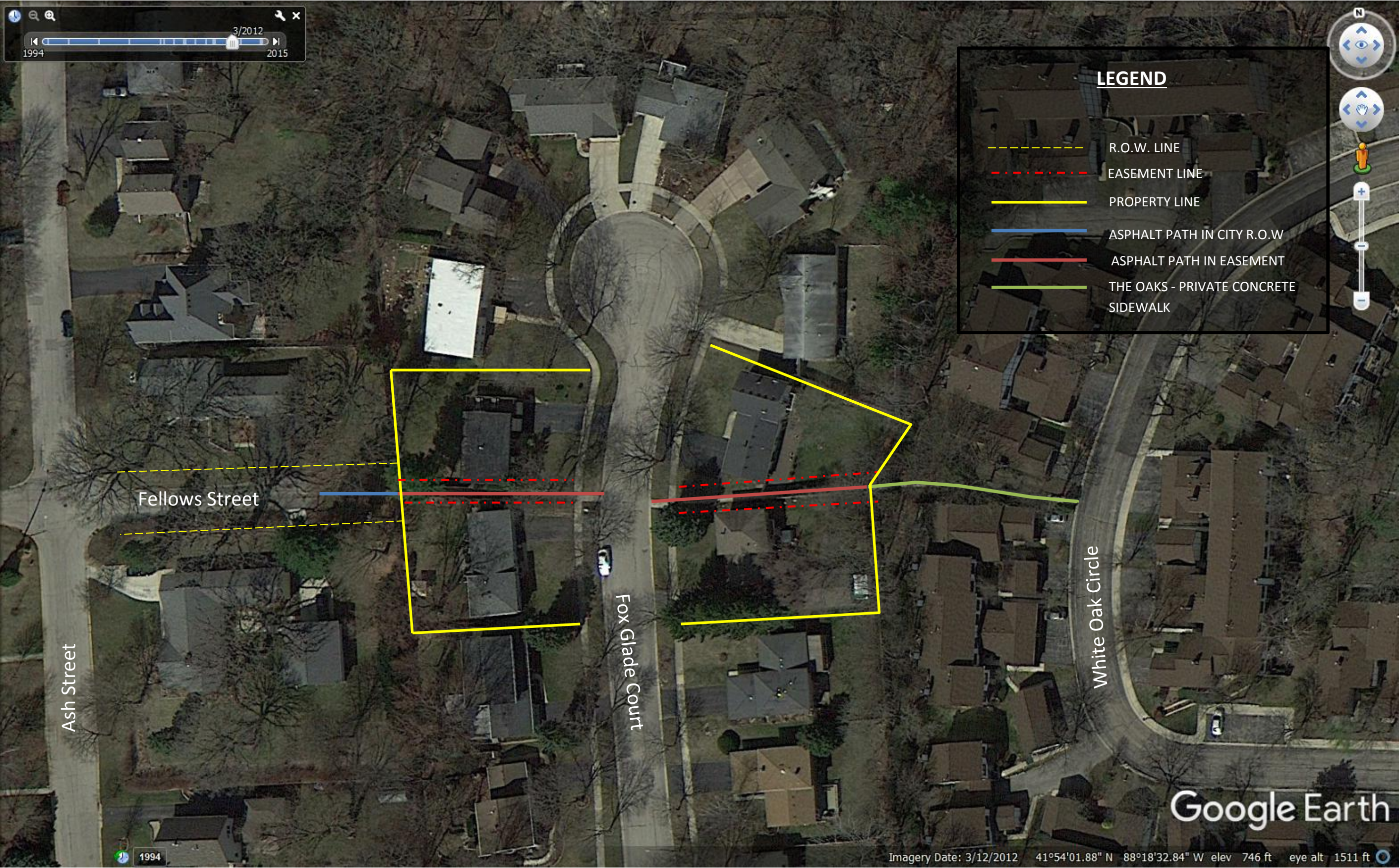
Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: October 3, 2016 10:39 AM



0 21 42 Feet

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Powered by InRoads GIS

ATTACHMENT "B"



ATTACHMENT "C"



(Oaks Association letter in black October 17, 2016, *walkway path homeowner comments in red, October 19, 2016*).

October 17, 2016

To: City of St Charles
Government Services Committee

RE: Western Entrance to The Oaks

The pedestrian pathway passing through Block 2 of Fox Glade Subdivision, immediately west of the Oaks, has recently come under discussion by the Government Services Committee of the City Council. (Homeowners along this path also requested the City close it in 2012.)

The four property owners of the lots upon which the paved pathway traverses have made a request of the City to eliminate the pathway and vacate the "Walkway Easement" that provided for the creation and existence of the pathway since 1969. (It was mentioned at the September 26, 2016, City of Saint Charles Government Services Committee that nowadays a walkway easement would never be put on private properties but on a dedicated lot of its own...was this walkway originally improperly developed and platted?) The owners have alleged numerous intrusions into their privacy, including, motorized vehicle noise, debris being thrown into their yards and disturbance to their dogs when passersby use the pathway. (Additional complaints from homeowners along the path include devalued properties making them less desirable to a potential purchaser, disturbing the neighborhood peace/security issues since the path is open 24 hours a day. Besides disturbance issue, motorized traffic is also a safety issue.)

The 10 foot wide Walkway Easement that encumbers the four properties provides for a total width of 20 foot space within which the paved pathway is allowed to exist. However, the space between the fences installed by the neighbors to separate their yards from the actual pathway are as narrow as 3½ feet apart in some places, leaving hardly any room for a person to safely ride a bicycle. This condition exists all the while there appears to be adequate space for the fences to be relocated further away from the existing pavement. (House structures edges of 1309 and 1310 Fox Glade are 11 feet from walkway lot lines, 1228 Fox Glade house structure is 10 feet from lot line. House structure on 1227 Fox Glade is 6.25 feet from lot line which means the easement encroaches 3.75 feet into the dwelling's structure...how did this get approved for the subdivision developer in the first place?).

The pathway has been in existence and use for over 45 years. That is more than 10 years before any of the present property owners arrived. (Current residence duration along the path; 1227 Fox Glade 36 years, 1228 Fox Glade 11 years, 1309 Fox Glade 30 years and 1310 Fox Glade 26 years). The pathway has become a vital access point to The Oaks, for its residents and to the surrounding community. (There

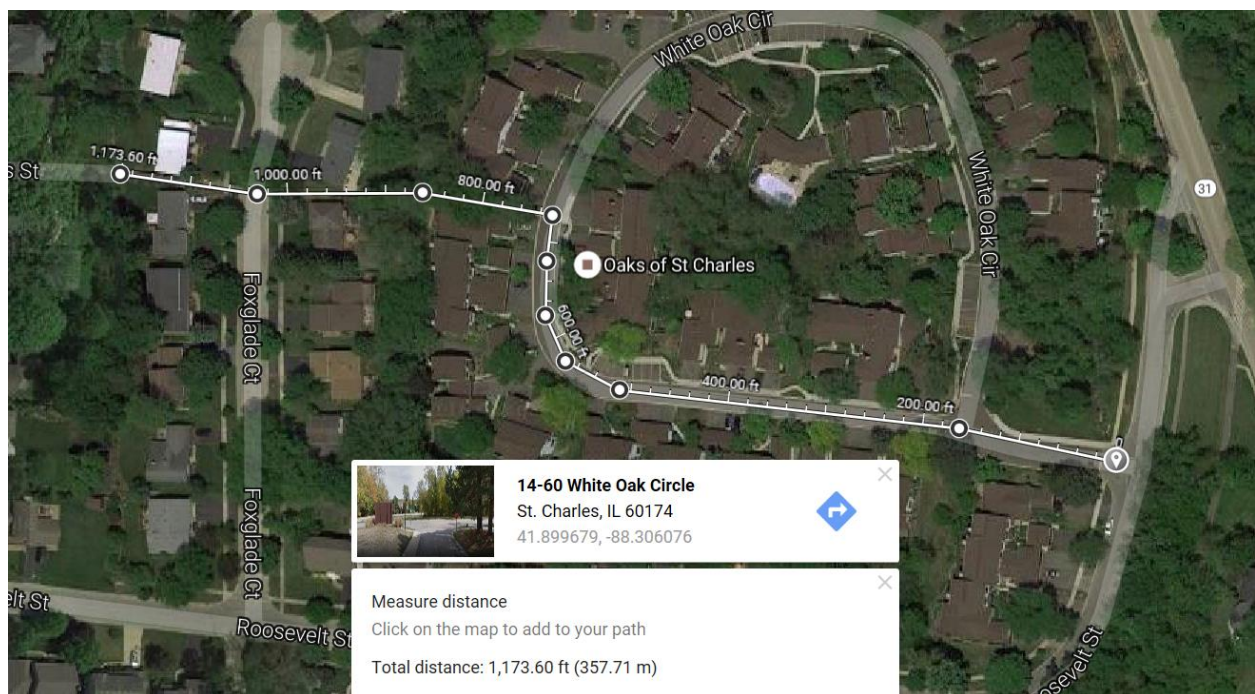
is a very close alternate same distance city sidewalk starting from the Oaks entrance that runs up Roosevelt Street and travels as far west as the subject walkway. This city sidewalk is safer since it has better lighting; sections of Fox Glade walkway are very dark at night). Children walk to Davis School. (About three years ago the City-employed crossing guards at busy traffic Horne/Third streets intersection were eliminated and children were encouraged to use school buses. Closest school is Davis School (eight blocks from Fox Glade Court) and has only kindergarten, 1st and 2nd grades, kids these ages would not walk to school on their own anyway. Currently there are zero school kids observed using the Fox Glade walkway, they are taking school busses which are safer (lack of sidewalks along routes) and provide shelter from inclement weather). Older people can enjoy a safe walk on level ground and are able to venture westward to other communities of the city. (Same comment as above...use alternate same distance sidewalk route along Roosevelt Street which is not out of the way, goes as far west as Fox Glade walkway and is safer at night due to bad/no lighting on Fox Glade pathway). Without the pathway, emergency access into or out of the Oaks would not exist in the event the Roosevelt Street access is blocked. (What is the chance Roosevelt Street gets blocked? There are numerous other streets and subdivisions in Saint Charles without secondary/alternate egress, here are a few; Crestwood Circle (Townhomes), McKinley Street, South 5th Street, South 6th Street, Thorntree Road, Stonewood Drive, West Allen Lane, Chandler Avenue, North Tyler Road, Hawkins Court, Stirrup Court, 9th Court, Hawthorn Drive and Walnut Ridge Lane. A fire truck or ambulance could not fit through the Fox Glade walkway easement). Other non-Oaks residents freely enjoy the same pedestrian access between Fellows Street and Route 31. Closing the pathway would be counter-productive to the goals of urban planning to develop walk able, interconnectivity of neighborhoods. (Comment on last two sentences is same as above, use the very nearby Roosevelt Street sidewalk for interconnectivity; it is the same distance as cutting through the Fox Glade path. Please see maps at bottom of letter).

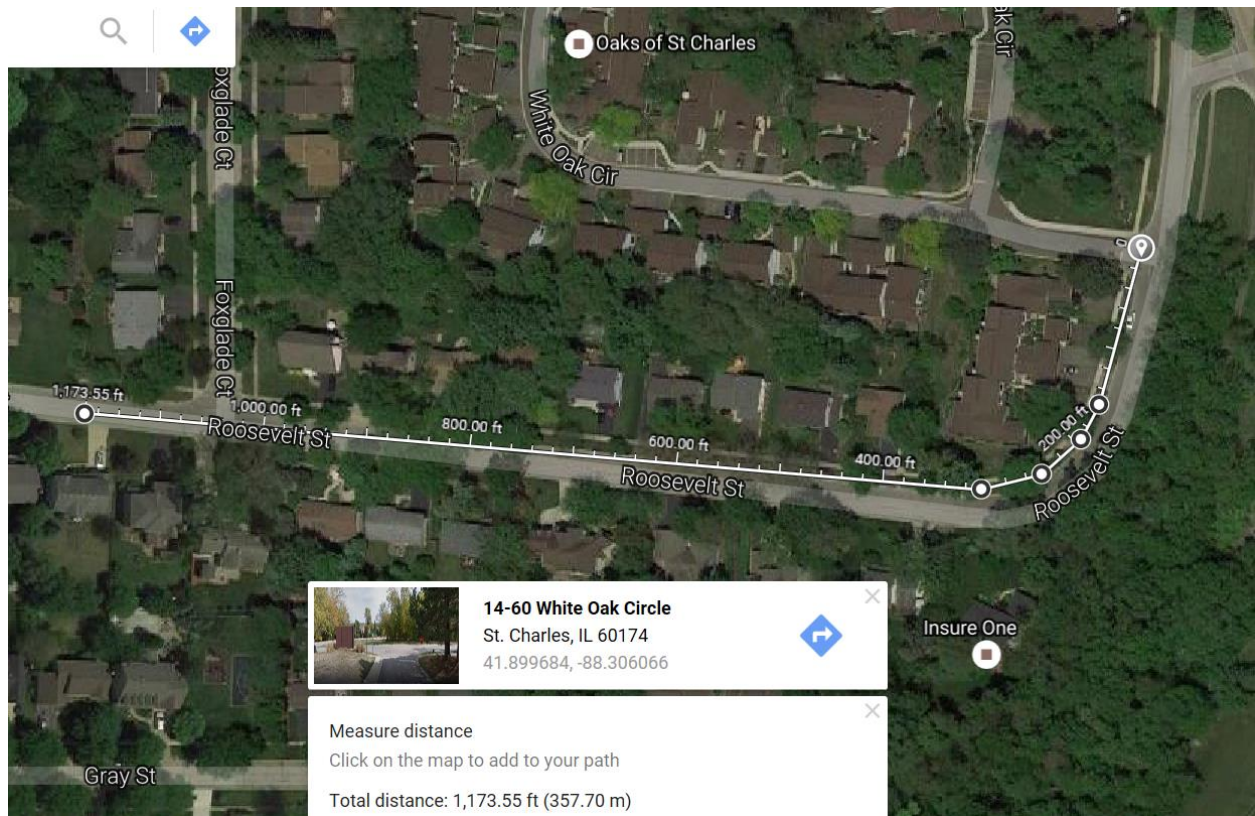
Many of the problems reported by the residents would likely be reduced if the fences were moved further away from the paved surfaces of the walkway, perhaps to coincide with the city's existing 10'-wide utility easement along the same common property line. Planting vegetation (such as small barberry or roses) in the cleared space along the fences might result in a lesser propensity for pedestrians to come in contact with neighbors' fences and/or to disturb pets. (The homeowner's dogs along the walkway know from inside the houses when someone is using the path, moving the fences further into the homeowners' private property private property would not reduce dog barking. Please remember that most walkway easements in Saint Charles were setup correctly on "designated/separate" lots...the Fox Glade Court path is on private properties lots). Any debris left by pedestrians is more likely to be left within a wider fenced area than thrown over the fences onto the adjacent yards. (Currently there is much more garbage left in the walkway than thrown into homeowners' yards. Bushes inside the walkway actually would provide people places to throw garbage behind...see dog waste comment below). Vehicles of any kind could be limited by access barriers, like the ones in use on other public pathways in linear parks that require the rider to dismount and walk their bicycle through it. Motorized vehicles would not even attempt entry. (This easement is open 24 hours/day; barriers could not be seen at night because of inadequate lighting in most of the walkway areas. A barrier would not allow bicycle child trailers to get through...if a bicycle trailer can get through so can motorized vehicles). If pet droppings continue after the above changes are made, signs and/or

doggie bag dispensers could be installed at either end of the pathway -- on Fellows of in the Oaks. (The main dog waste problem is people throwing their filled doggie bags behind the bushes up against the houses in attempts to hide them. Irresponsible people that litter do not pay attention to signs. People throw filled dog waste bags in our bushes because they don't want to carry them home. Frequency of dog waste bags in the bushes rises in the winter because pedestrians' hands are cold).

There is no doubt the pathway has proven itself to be an asset to a larger community than just The Oaks. (Four of the most frequent path users from the Oaks all have said that if they lived along the path they wouldn't want it open, this includes two members of the Oaks Board of Directors. The Oaks Association President also stated this at the September 26, 2016 Government Services Committee meeting). Its use simply needs to be smartly managed.

The Oaks strongly opposes closure of the pathway. (The four homeowners along the path suggest to the City Council that pedestrians use the alternate sidewalk at the entrance to the Oaks and up Roosevelt Street which is safer because of better lighting/no width-limiting fences. From the Oaks entrance travelling west to end of the path at Fellows west dead end is ~1,173 feet. From the Oaks entrance travelling west to end of sidewalk on Roosevelt is coincidentally also ~1,173 feet. Both walkways/sidewalks end a half block short of Ash Street. Google maps with distances are below).





Board of Directors

The Oaks of St. Charles Townhome Owners Association

**City of St. Charles Illinois
Resolution No. 2013-7**

**A Resolution Authorizing the City Administrator to Execute
Four Letters Regarding the Fox Glade Court Easements**

**Presented & Passed by the
City Council on February 4, 2013**

BE IT RESOLVED BY THE Mayor and City Council of the city of St. Charles, Kane and DuPage Counties, Illinois, that the city Administrator be and the same hereby authorized to execute four letters regarding the Fox Glade Court Easements.


PRESENTED to the City Council of the City of St. Charles, Illinois, this 4th day of February 2013.

PASSED by the City Council of the City of St. Charles, Illinois, this 4th day of February 2013.

APPROVED by the Mayor of the City of St. Charles, Illinois this 4th day of February 2013.


Donald P. DeWitte, Mayor

ATTEST:


City Clerk

COUNCIL VOTE:

Ayes: 10
Nays: 0
Absent: 0
Abstain: 0



January 21, 2013

Gary and Sherry Fox
1309 Fox Glade Court
St. Charles, Illinois 60174



#1 City for Families
by FamilyCircle® magazine

Re: Walkway located at 1309 Fox Glade Court

Dear Gary and Sherry Fox:

This letter is in reference to the sidewalk on the premises that you own, located at the above-referenced address (the "Premises"). The sidewalk was constructed by the City pursuant to a walkway easement denoted on the plat of subdivision for Fox Glade Unit No. 1. The City Council of the City has authorized me to inform you as follows:

1. So long as the sidewalk remains in existence (including any replacement sidewalk that may be installed), the City shall, at its expense, maintain, repair, renew and replace the sidewalk as from time to time necessary and appropriate to keep it in good condition.
2. The City shall, to the extent permitted by law, indemnify, defend and hold harmless you, as owner of the Premises, and any successor owner of the Premises, from and against all liability arising out of claims for bodily injuries, death or property damage resulting from the use of the sidewalk for its intended purpose. However, nothing set forth in this paragraph shall be deemed a waiver of any defenses or immunities relating to the sidewalk that are, or would be, available by law to the City.
3. Nothing contained in this letter is intended to give rise to any duties or liabilities on behalf of the City which are not set forth herein or authorized by law.
4. Nothing contained in this letter is intended to abrogate the police powers of the City.
5. This letter is intended to benefit you, as owner of the Premises and any successor owner of the Premises.
6. If the City removes and does not replace the sidewalk, it will grade and seed the affected area. Upon such removal, all obligations and undertakings set forth in this letter shall cease and the City may record a document to that effect with the Kane County Recorder's Office.

CITY OF ST. CHARLES, ILLINOIS

By: _____
Brian Townsend, City Administrator

Receipt acknowledged
this 21st day of January 2013

Gary Fox / Sherry Fox

DONALD P. DEWITTE Mayor

BRIAN TOWNSEND City Administrator

January 21, 2013

Hilda Holm
1228 Fox Glade Court
St. Charles, Illinois 60174



#1 City for Families
by FamilyCircle® magazine

Re: Walkway located at 1228 Fox Glade Court

Dear Hilda Holm:

This letter is in reference to the sidewalk on the premises that you own, located at the above-referenced address (the "Premises"). The sidewalk was constructed by the City pursuant to a walkway easement denoted on the plat of subdivision for Fox Glade Unit No. 1. The City Council of the City has authorized me to inform you as follows:

1. So long as the sidewalk remains in existence (including any replacement sidewalk that may be installed), the City shall, at its expense, maintain, repair, renew and replace the sidewalk as from time to time necessary and appropriate to keep it in good condition.
2. The City shall, to the extent permitted by law, indemnify, defend and hold harmless you, as owner of the Premises, and any successor owner of the Premises, from and against all liability arising out of claims for bodily injuries, death or property damage resulting from the use of the sidewalk for its intended purpose. However, nothing set forth in this paragraph shall be deemed a waiver of any defenses or immunities relating to the sidewalk that are, or would be, available by law to the City.
3. Nothing contained in this letter is intended to give rise to any duties or liabilities on behalf of the City which are not set forth herein or authorized by law.
4. Nothing contained in this letter is intended to abrogate the police powers of the City.
5. This letter is intended to benefit you, as owner of the Premises and any successor owner of the Premises.
6. If the City removes and does not replace the sidewalk, it will grade and seed the affected area. Upon such removal, all obligations and undertakings set forth in this letter shall cease and the City may record a document to that effect with the Kane County Recorder's Office.

CITY OF ST. CHARLES, ILLINOIS

By: _____
Brian Townsend, City Administrator

Receipt acknowledged
this 21st day of January 2013

Hilda Holm
Hilda Holm

DONALD P. DEWITTE Mayor
BRIAN TOWNSEND City Administrator

January 21, 2013

Philip VanAcker
1227 Fox Glade Court
St. Charles, Illinois 60174



#1 City for Families
by FamilyCircle® magazine

Re: Walkway located at 1227 Fox Glade Court

Dear Philip VanAcker:

This letter is in reference to the sidewalk on the premises that you own, located at the above-referenced address (the "Premises"). The sidewalk was constructed by the City pursuant to a walkway easement denoted on the plat of subdivision for Fox Glade Unit No. 1. The City Council of the City has authorized me to inform you as follows:

1. So long as the sidewalk remains in existence (including any replacement sidewalk that may be installed), the City shall, at its expense, maintain, repair, renew and replace the sidewalk as from time to time necessary and appropriate to keep it in good condition.
2. The City shall, to the extent permitted by law, indemnify, defend and hold harmless you, as owner of the Premises, and any successor owner of the Premises, from and against all liability arising out of claims for bodily injuries, death or property damage resulting from the use of the sidewalk for its intended purpose. However, nothing set forth in this paragraph shall be deemed a waiver of any defenses or immunities relating to the sidewalk that are, or would be, available by law to the City.
3. Nothing contained in this letter is intended to give rise to any duties or liabilities on behalf of the City which are not set forth herein or authorized by law.
4. Nothing contained in this letter is intended to abrogate the police powers of the City.
5. This letter is intended to benefit you, as owner of the Premises and any successor owner of the Premises.
6. If the City removes and does not replace the sidewalk, it will grade and seed the affected area. Upon such removal, all obligations and undertakings set forth in this letter shall cease and the City may record a document to that effect with the Kane County Recorder's Office.

CITY OF ST. CHARLES, ILLINOIS

By: _____
Brian Townsend, City Administrator

Receipt acknowledged
this 21st day of January 2013

Philip VanAcker
Philip VanAcker

DONALD P. DEWITTE Mayor
BRIAN TOWNSEND City Administrator

January 21, 2013

Jeff Fox and Christine Carlson-Fox
1310 Fox Glade Court
St. Charles, Illinois 60174



ST. CHARLES
SINCE 1834

#1 City for Families
by FamilyCircle® magazine

RE: Walkway located at 1310 Fox Glade Court

Dear Jeff Fox and Christine Carlson-Fox:

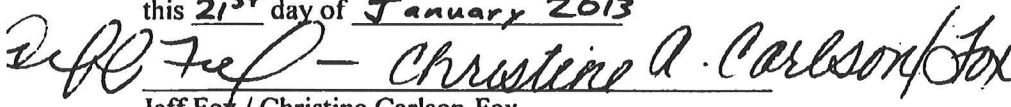
This letter is in reference to the sidewalk on the premises that you own, located at the above-referenced address (the "Premises"). The sidewalk was constructed by the City pursuant to a walkway easement denoted on the plat of subdivision for Fox Glade Unit No. 1. The City Council of the City has authorized me to inform you as follows:

1. So long as the sidewalk remains in existence (including any replacement sidewalk that may be installed), the City shall, at its expense, maintain, repair, renew and replace the sidewalk as from time to time necessary and appropriate to keep it in good condition.
2. The City shall, to the extent permitted by law, indemnify, defend and hold harmless you, as owner of the Premises, and any successor owner of the Premises, from and against all liability arising out of claims for bodily injuries, death or property damage resulting from the use of the sidewalk for its intended purpose. However, nothing set forth in this paragraph shall be deemed a waiver of any defenses or immunities relating to the sidewalk that are, or would be, available by law to the City.
3. Nothing contained in this letter is intended to give rise to any duties or liabilities on behalf of the City which are not set forth herein or authorized by law.
4. Nothing contained in this letter is intended to abrogate the police powers of the City.
5. This letter is intended to benefit you, as owner of the Premises and any successor owner of the Premises.
6. If the City removes and does not replace the sidewalk, it will grade and seed the affected area. Upon such removal, all obligations and undertakings set forth in this letter shall cease and the City may record a document to that effect with the Kane County Recorder's Office.

CITY OF ST. CHARLES, ILLINOIS

By: _____
Brian Townsend, City Administrator

Receipt acknowledged
this 21st day of January 2013


Jeff Fox / Christine Carlson-Fox

DONALD P. DEWITTE Mayor
BRIAN TOWNSEND City Administrator

TWO EAST MAIN STREET

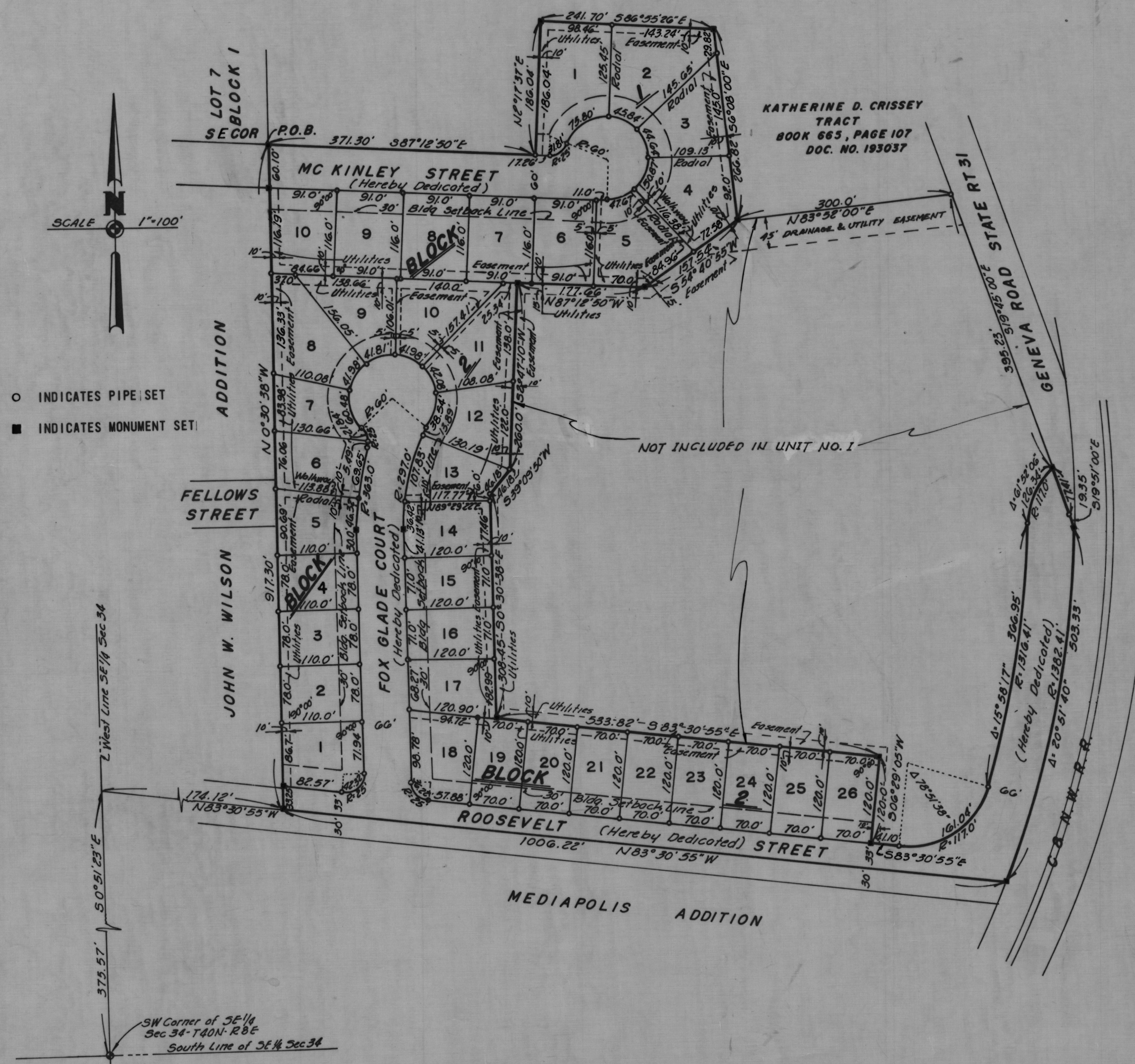
ST. CHARLES, IL 60174

PHONE: 630-377-4400

FAX: 630-377-4440

www.stcharlesil.gov

FOX GLADE P.U.D. SUBDIVISION UNIT NO. 1
ST. CHARLES, KANE COUNTY, ILLINOIS



PROTECTIVE COVENANT

Covenant is hereby made to run with the land, that no owner of any lot or lots therein will cause or permit any change, alteration, or obstruction of the flow of storm or surface water drainage from that established by the surface water drainage pattern approved as a part of this subdivision.

STATE OF ILLINOIS)
CITY OF ST. CHARLES) ss.
Approved this 21st day of July, A.D., 1969.

CITY OF ST. CHARLES PLAN COMMISSION
Chairman Edwin E. Swick

STATE OF ILLINOIS)
COUNTY OF KANE ss. I, JAMES H. DRIESSEN, do hereby certify that the required improvements have been installed, or the required guarantee bond has been posted for the completion of all required land improvements. James H. Driesse

Dated at ST. CHARLES, Illinois, this 18TH day of SEPT., A.D. 1967

STATE OF ILLINOIS) ss.
COUNTY OF KANE)
Approved and accepted this 4th day of August, A.D. 19 69.

CITY COUNCIL OF ST. CHARLES, ILLINOIS

ATTEST: James B. Griffin By Ch. C. C. C.
City Clerk Mayor

[illegible]

Given under my hand and seal at Geneva, Illinois, this 12th day of June, A.D. 1967.

STATE OF ILLINOIS)
COUNTY OF KANE ss.
The St. Charles National Bank, a National Banking Association, as Trustee under the provisions of a trust agreement dated October 16, 1967 and known as
Trust No. 386 is the owner of record of the land described in the annexed plat, and that it has caused the same to be surveyed and subdivided as indicated
thereon, for the uses and purposes therein set forth, and does hereby acknowledge and adopt the same under the style and title thereon indicated.

The St. Charles National Bank

ATTEST: Edward A. Sprick By: M. R. Hoover
Trust Officer

Dated this 16th day of June, A.D. 1969

STATE OF ILLINOIS)
COUNTY OF KANE) ss.
JAMES CASHIER, a notary public, in and for said County, in the state aforesaid, do hereby certify that M.R. Hoover, Trust Officer and Edward A. Sprill, Cashier, of the St Charles National Bank, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as said officers appeared before me this day in person and acknowledged that they signed and delivered the annexed plat as their own free and voluntary act for the uses and purposes therein set forth, and as the free and voluntary act of said Bank.

Given under my hand and Notarial Seal this 16th day of June, A.D. 1969, at St Charles, Illinois.

Notary Public

STATE OF ILLINOIS)
COUNTY OF COOK ss.
The Telegraph Savings and Loan Association of Chicago, Illinois, as Mortgagee under the provisions of a Mortgage dated May 14, 1969, recorded May 16, 1969 as Document Number 1140331, and that it is the holder of the note recorded thereby, does hereby certify that as holder of Mortgage Interest of the lands herein described did cause same to be surveyed and subdivided as shown hereon; and approves and accepts the Plat thereon. Dated this 13th day of June, A.D. 1969.

Telegraph Savings and Loan Association

ATTEST: Glenn Kitchen BY Wm. J. Evans
Asst. Secretary President

STATE OF ILLINOIS)
COUNTY OF COOK, ss. B. C. Conrad, a notary public, in and for said County, in the state aforesaid, do hereby certify that William C. Traver,
William C. Traver, Arthur R. Pittcher, Assy. Secretary of said Association, personally known to me to be the same persons whose names are subscribed to the foregoing
instrument as said Officers, appeared before me this day in person and acknowledged that they signed and delivered the annexed plat as their own free and
voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 13th day of June, A.D. 19 69, at Chicago, Illinois.

Notary Public

STATE OF ILLINOIS)
COUNTY OF KANE) ss. I, Wm. A. Caldwell, County Clerk of Kane County, Illinois, do hereby certify that there are no delinquent general taxes, no unpaid forfeited taxes and no redeemable tax sales against any of the land included in the annexed plat.

Given under my hand and seal at Geneva, Illinois, this 17th day of June, A.D. 1969. Wm. A. Kallath
County Clerk

STATE OF ILLINOIS)
COUNTY OF KANE) ss.
I do hereby certify that there are no delinquent or unpaid current or forfeited special assessments or any deferred installments thereof that have not been apportioned against the tract of land included in the plat. *P. J. McCaskey*

Dated at St. Charles, Illinois, this 16th day of Sept., A.D. 1909.

STATE OF ILLINOIS)
COUNTY OF KANE ss. 114 9771 was filed for record in the Recorder's Office of Kane County, Illinois, on the 25 day of SEPT.,
This instrument No. 114 9771 A.D. 1949, at 10 o'clock A.M., and recorded in Book 25 of Plats Page 2 & 4
James E. Garbman
County Recorder

EASEMENT PROVISIONS

An easement is hereby reserved for and granted to the City of St. Charles, Illinois, the Illinois Bell Telephone Company and the Northern Illinois Gas Company and their respective successors and assigns in all platted "Easement" areas shown on the plat for the installation, maintenance, relocation, renewal and removal of sanitary sewers, storm sewers, water mains, manholes, vaults, electrical and communications conduits, cables, wires, pedestals, transformers, gas mains and all other equipment and structures necessary for the purpose of serving the subdivision and adjacent property with sewer, water, electrical, telephone and gas service. In addition to the platted easements, a five foot wide public utility easement is hereby reserved along all side lot lines. No permanent buildings or trees shall be placed on said easement, but the same may be used for gardens, shrubs, landscaping and other purposes that do not then or later interfere with the aforesaid uses or the rights herein granted.



City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1981
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

Fox Glade Court Walking Path

RAYMOND ROGINA

Mayor

MARK KOENEN

City Administrator



Data Source:
City of St. Charles, Illinois
Harris County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: September 25, 2014 10:42 PM



Overall Site Plan

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection, you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission, please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Reviewed by: Project 001



City of St. Charles, Illinois

Two East Main Street, St. Charles, IL 60174-1984

Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

Fox Glade Court Walking Path

RAYMOND ROGINA

Mayor

MARK KOENEN

City Administrator



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: September 20, 2010 03:52 PM



0 21 42 Feet

Enlarged Site Plan

This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information presented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not lawfully reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Prepared by: H&M 100-100

September 9, 2016

Application to City of Saint Charles, Illinois for Homeowners Requesting Vacate Walkway Easement On Their Private Properties

Location of Walkway Legal Description:

Lots 5, 6, 13 & 14 of Fox Glade PUD, Block 2, Saint Charles, Illinois

Applicants:

- Gary and Sherry Fox, 1309 Fox Glade Court, Saint Charles, IL 60174 (Lot 5) email: gfoxent@aol.com
- Hilda Holm, 1228 Fox Glade Court, Saint Charles, IL 60174 (Lot 13) email: donhilda@yahoo.com
- Jeff Fox and Christine Carlson-Fox, 1310 Fox Glade Court, Saint Charles, IL 60174 (Lot 14) email: jcfoxz@comcast.net
- Philip VanAcker, 1227 Fox Glade Court, Saint Charles, IL 60174 (Lot 6) email: pavanacker@att.net

Reasons for request: Safety/Security/Privacy/Nuisance/Disturbing the Peace/Devalued Property/Legal

- City population at time of 1969 plat recording was around 9,000, currently 33,000+. General overall quality of walkway users has become less desirable, they are now less conscientious, less respectful to privilege of using the walkway through our yards. Walkway was initially a dirt path.
- Littering along walkway. Used dog waste bags/empty liquor bottles are thrown into bushes along walkway and up against houses. Dog waste is left on walkway, used condom/feminine protection napkin are among items found on walkway as well as frequent cigarette butts and paper litter to be picked up by homeowners. Walkways are sheltered by privacy fences which contribute to abnormal activities occurring on the path compared to open city sidewalks along street parkways.
- A large fire was started by young pedestrians smoking cigarettes and lighting a pile of pine needles five feet from house structure on Lot 6 which had to be extinguished by homeowner. Could have caught house on fire if owner was not home.
- A drunk middle-aged male was found passed out on the path. Resident tried to wake him with no success. Saint Charles Police were called who managed to wake up the person and haul him away.
- Late one night a beer bottle was thrown at house from the walkway waking up the residents on Lot 14 and disturbing their dog.
- Only a fence thickness separates pedestrians from homeowners. Three of the four homeowners along the walkway have dogs. When people use the walkway (especially when walking their own dogs) excessive barking occurs and plants/flowers along inside yards get trampled by homeowner's dogs running along the fences. Some walkway users bark back at dogs or drag sticks down the fences to further antagonized dogs.
- Walkway is open at all times of the day and night causing safety/security issues on our properties. Noisy pedestrians frequently use the walkway in the middle of the night disturbing/waking up homeowners and homeowner's dogs.
- Pedestrians have thrown bags of chicken bones into yards of Lots 13 & 14. Hoping to harm dogs?
- Motor scooters have started using the path and are long gone before possible police contact.
- With the walkway actually in our yards, houses are very close to walkway. Lots 5 and 14 houses are 9 feet from walkway edge, Lot 6 house is 4.5 feet and Lot 13 house, 8 feet. For privacy/security, with house on Lot 6 being less than five feet away from path, requires windows be closed/covered up at all times. On occasions at night, have had pedestrians bang on Lot 6 house and run.

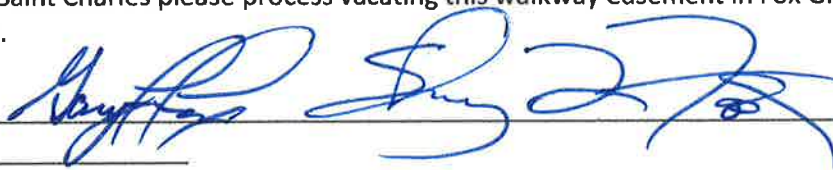
Page 2, Application to City of Saint Charles, Illinois for Homeowners Requesting Vacate Walkway Easement On Their Private Properties

- School buses pick up/drop off kids on nearby Roosevelt Street at Fox Glade Court and White Oaks Circle entrances. No need of walkway for school transportation.
- Presence of walkway though our yards devalues our properties/makes homes locations less desirable to a potential buyer.
- This walkway is not "dedicated" to the City of Saint Charles (only in-use walkway in Saint Charles on private properties), *Block 2* of Fox Glade PUD, 1969 plat on file at the county. This walkway easement is 20 feet wide (10 feet on each lot), the house structures on lots 5 and 6 are less than 18 feet apart from each other.
- There is no Fox Glade PUD *Block 2* walkway easement included on the Oaks Townhomes plat (walkway does not continue through the Oaks), 1975 plat on file at the county.
- A similar walkway easement in *Block 1* of same Fox Glade PUD between lots 4 and 5 (McKinley Street) is closed (not in use), also not dedicated and not continued through Oaks Townhomes (see same 1969 FOXGPUD plat). For an example of a dedicated walkway in Saint Charles please see Mc Clatchey subdivision between lots 7 and 1 (near 7th Street and Fellows Street), plat on file at the county, 1973.

We request the City of Saint Charles please process vacating this walkway easement in Fox Glade PUD, Block 2, along Lots 5, 6, 13 & 14.

Gary and Sherry Fox

Date 9-9-16



Hilda Holm

Date 9-9-16



Jeff and Christine Carlson-Fox

Date 9-9-2016



Philip VanAcker

Date 9-9-2016

