

City of St. Charles, Illinois
Ordinance No. 2024-M-_____

An Ordinance Vacating a Portion of North 15th Street Right-of-Way

WHEREAS, the City of St. Charles (the “City”) is the owner of the property commonly known as 1417 Dean Street, St. Charles, Illinois, 60174, legally described in Exhibit “A,” which is attached hereto and made a part hereof (the “City Parcel”), and desires to vacate an adjacent portion of North 15th Street in order to provide adequate land area for the City Parcel to be a buildable parcel; and

WHEREAS, the City owns or is otherwise in control of the portion of the North 15th Street right-of-way immediately adjoining the City Parcel, as more particularly described and depicted on the Plat of Vacation, a copy of which is attached hereto as Exhibit “B” and made a part hereof (the “Plat of Vacation”), and which is located wholly within the corporate boundaries of the City; and

WHEREAS, the City Council has determined that the portion of North 15th Street right-of-way, as described and depicted on the attached Plat of Vacation, would not be in the best interests of the City to retain ownership thereof and would benefit its residents and be in the best interests of public welfare to vacate the right-of-way to the City for the purpose of providing adequate land area for the City Parcel to be a buildable parcel; and

WHEREAS, the North 15th Street right-of-way is situated within the territorial limits of the City and, as such, pursuant to Illinois statute, are subject to the determination of the corporate authorities of the City as to whether or not to vacate that certain portion of North 15th Street by balancing the interests of the nature and extent of the public use and interest or benefit derived from the right-of-way, against the potential benefits to be derived from and cost saved to the City from the vacation and future incorporation of the portion of the aforesaid North 15th Street right-of-way into the City Parcel, providing adequate land area for the City Parcel to be a buildable parcel, as expressly conditioned upon the provisions contained within this Ordinance.

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

1. The statements contained in the preamble hereto are found to be true and correct and are hereby incorporated as part of this Ordinance.
2. Subject to the provisions contained herein, the Plat of Vacation is hereby approved and the appropriate officials of the City are hereby authorized to execute and attest to same.
3. That part of North 15th Street right-of-way immediately adjacent to the City Parcel, encompassing approximately 0.017 acre (approximately 721 square feet), is hereby vacated to the City and the City Parcel.

4. The vacation of that portion of North 15th Street right-of-way herein provided is made upon the findings that the compensation for the vacation, and the commensurate benefits and/or economic savings to be provided to and/or which inure to the benefit of the City, in the judgment of the Mayor and City Council, shall compensate the City for the value of the part of the North 15th Street right-of-way being vacated to allow for providing adequate land area for the City Parcel to be a buildable parcel.

5. After approval of the Plat of Vacation by the City, and upon execution of the Plat of Vacation by all necessary parties, the City Clerk is hereby authorized and directed to file with the Kane County Recorder a true and correct copy of this Ordinance, the Plat of Vacation and any documents relating thereto.

6. All ordinances or parts of ordinances in conflict with this Ordinance are hereby amended to the extent of such conflict.

7. This Ordinance shall be in full force and effect from and after its passage, approval and publication in accordance with law.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, this 20th day of May 2024.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, this 20th day of May 2024.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois, this 20th day of May 2024.

Lora A. Vitek, Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes:

Nays:

Absent:

Abstain:

EXHIBIT "A"

CITY PARCEL

THAT PART OF LOT 2 OF WILLIAM BALIS SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED SEPTEMBER 5, 1911 IN BOOK 20 OF PLATS, PAGE 21, LYING WESTERLY OF 15TH STREET, PER DEDICATION RECORDED APRIL 6, 1983 AS DOCUMENT 1634667, IN KANE COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 2; THENCE SOUTH 66 DEGREES 05 MINUTES 41 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 2, 69.10 FEET TO THE WESTERLY RIGHT-OF-WAY OF SAID 15TH STREET; THENCE SOUTH 23 DEGREES 54 MINUTES 19 SECONDS WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 90.21 FEET TO THE SOUTHERLY LINE OF SAID LOT 2; THENCE NORTH 89 DEGREES 54 MINUTES 58 SECONDS WEST, ALONG SAID SOUTHERLY LINE, 26.93 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 00 DEGREES 09 MINUTES 44 SECONDS EAST, ALONG THE WESTERLY LINE OF SAID LOT 2, 110.43 FEET TO SAID POINT OF BEGINNING.

PIN: 09-28-376-012

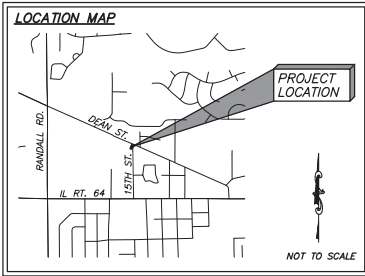
Ordinance No. _____

Page 4

EXHIBIT "B"

PLAT OF VACATION

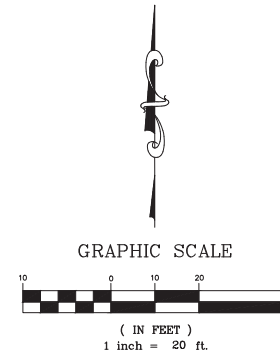
PLAT OF VACATION



LEGAL DESCRIPTION OF RIGHT-OF-WAY HEREBY VACATED

THAT PART OF THE NORTH 15TH STREET RIGHT-OF-WAY, PER DEDICATION RECORDED APRIL 6TH, 1983 AS DOCUMENT 1634667, IN KANE COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 2 IN WILLIAM BALIS SUBDIVISION ACCORDING TO THE PLAT THEREOF, RECORDED SEPTEMBER 5TH, 1911 IN BOOK 20 OF PLATS, PAGE 21; THENCE SOUTH 66 DEGREES 05 MINUTES 41 SECONDS EAST, ALONG THE NORTHERLY LINE OF SAID LOT 2, 69.10 FEET TO THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF NORTH 15TH STREET, PER SAID DEDICATION FOR A POINT OF BEGINNING; THENCE SOUTH 07 DEGREES 09 MINUTES 23 SECONDS WEST, 20.15 FEET; THENCE SOUTHERLY 65.00 FEET, ALONG A NON-TANGENTIAL CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 417.00 FEET, A CHORD THAT BEARS SOUTH 15 DEGREES 43 MINUTES 18 SECONDS WEST AND A CHORD OF 64.93 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 2, SAID POINT BEING 71.00 FEET WESTERLY OF THE EASTERLY RIGHT-OF-WAY LINE OF SAID NORTH 15TH STREET, AS MEASURED ALONG SAID SOUTHERLY LINE; THENCE NORTH 89 DEGREES 54 MINUTES 58 SECONDS WEST, ALONG SAID SOUTHERLY LINE, 16.45 FEET TO SAID EXISTING WESTERLY RIGHT-OF-WAY LINE; THENCE NORTH 23 DEGREES 54 MINUTES 19 SECONDS EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 90.21 FEET TO SAID POINT OF BEGINNING.



THIS PLAT PRESENTED BY/RETURN TO:

NAME: _____

ADDRESS: _____

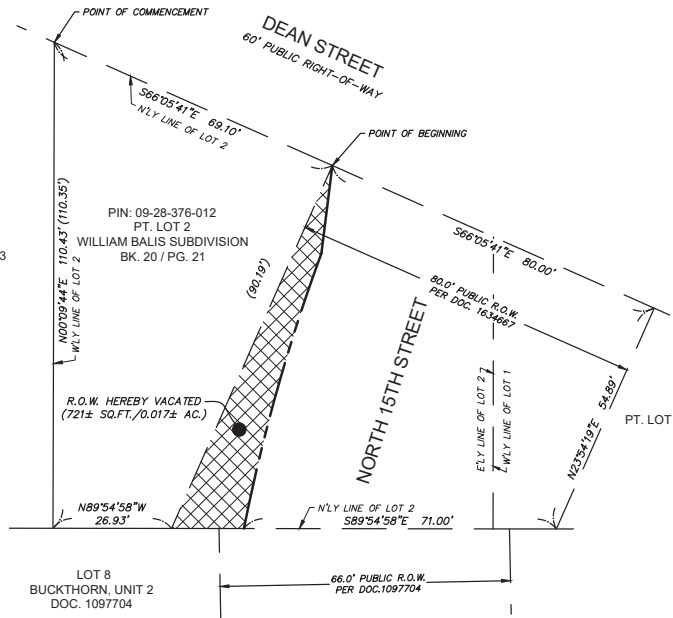
CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS)
) S.S.
 CITY OF ST. CHARLES)
 APPROVED AND ACCEPTED THIS _____ DAY OF _____, 20____
 CITY COUNCIL OF CITY OF ST. CHARLES, ILLINOIS

MAYOR _____
 ATTEST: _____
 CITY CLERK

COUNTY CLERK CERTIFICATE

STATE OF ILLINOIS)
) S.S.
 COUNTY OF KANE)
 I, _____ 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 ANNEXED PLAT.
 I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE ANNEXED PLAT.
 GIVEN UNDER MY HAND AND SEAL AT GENEVA, ILLINOIS, ILLINOIS,
 THIS _____ DAY OF _____, A.D., 200____
 COUNTY CLERK



SURVEYOR'S CERTIFICATION

STATE OF ILLINOIS)
) S.S.
 COUNTY OF KANE)
 I, BERNARD J. BAUER, ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER 3799, DO HEREBY CERTIFY THAT THE PLAT OF VACATION HEREON DRAWN WAS PREPARED USING PREVIOUS SURVEY INFORMATION AND MAPS, PLATS AND OTHER INSTRUMENTS OF RECORD FOR THE USES AND PURPOSES HEREIN SET FORTH.
 DATED AT AURORA, KANE COUNTY, ILLINOIS _____, A.D. 2024.

FOR REVIEW

BERNARD J. BAUER, P.L.S. (bbauer@hrgreen.com)
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3799
 LICENSE EXPIRATION DATE: 11/30/2024

BOUNDARY NOTE

BOUNDARY LINES SHOWN HEREON BASED UPON THE PLAT OF SURVEY PREPARED BY HR GREEN, DATED DECEMBER 7, 2023.

- NOTES:
- * This map was created for use as Plat of Vacation.
 - * This map is not to be used for any construction or staking purposes without consent from a proper agent of HR Green, Inc.
 - * This IS NOT a Plat of Survey. No assumptions or agreements as to ownership, use, or possession can be conveyed from this document.
 - * No underground improvements have been located unless shown and noted.
 - * No distance should be assumed by scaling.
 - * This map is void without seal and signature affixed.

NO.	DATE	BY	REVISION DESCRIPTION
1	05/07/24	BJB	CORNER CIP

Illinois Professional Design Firm # 184-001322
 2363 Sequoia Drive, Suite 101
 Aurora, Illinois 60506
 t. 630.553.7560 f. 630.553.7646
 www.hrgreen.com



PLAT OF VACATION
 OF A PORTION OF
 15TH STREET
 CITY OF ST. CHARLES
 KANE COUNTY, ILLINOIS

BAR IS ONE INCH ON OFFICIAL DRAWINGS
 0 1"
 IF NOT ONE INCH, ADJUST SCALE ACCORDINGLY

DRAWN BY: BJB
 APPROVED: MD
 JOB DATE: 04/03/2024
 JOB NO: 2303828.01