

**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: IJ

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|------------|--|
| Title: | Motion to Approve a Resolution Authorizing the Execution of a Plat of Vacation for a portion of an Electric Easement (1125 Fern Ave) |
| Presenter: | Russell Colby |

Meeting: City Council- New Business Date: July 20, 2020

Proposed Cost: N/A

Budgeted Amount: N/A

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

In 2019, the detached garage located at 1125 Fern Ave. was destroyed in a fire. The owner, Nathan Roberts, would like to construct a new garage on the old garage's foundation. During building permit review, it was discovered that a small portion of the old garage, approximately 27.5sf, was located within an Electric Utility Easement. Per section 17.22.020 of the Zoning Ordinance,

"No accessory building shall be located in whole or in part on or over an easement for utilities, drainage, access, or related purposes."

Proposal

Mr. Roberts has submitted a request for the easement area to be vacated by the City in order to permit the construction of the new garage on the already existing building foundation. Electric Utility has reviewed the building permit plans and the plat of vacation and have determined that the current pad and design would not interfere the overhead lines. Electric Utility has given their approval to move forward with the following conditions:

1. The electric meter will need to be accessible
2. All service wires are in conduit the entire way from the pole to the house meter pedestal.

Mr. Roberts has acknowledged and agreed to adhere to Electric Utilities' conditions.

Attachments *(please list):*

Resolution, Plat of Easement Vacation, Letter from Mr. Roberts acknowledging and accepting conditions

Recommendation/Suggested Action *(briefly explain):*

Motion to Approve a Resolution Authorizing the Execution of a Plat of Vacation for a portion of an Electric Easement (1125 Fern Ave)

City of St. Charles, Illinois
Resolution No. 2020-_____

**A Resolution Authorizing the Execution of a Plat of Vacation for a
portion of an Electric Easement
(1125 Fern Ave)**

**Presented & Passed by the
City Council on _____**

NOW THEREFORE, be it resolved by the authorities of the City of St. Charles that the Mayor and City Clerk are hereby authorized to execute A Plat of Vacation for a portion of an electric easement, attached hereto as Exhibit "A".

PRESENTED to the City Council of the City of St. Charles, Illinois this 20th day of July 2020.

PASSED by the City Council of the City of St. Charles, Illinois, this 20th day of July 2020.

APPROVED by the Mayor of the City of St. Charles, Illinois, this 20th day of July 2020.

Raymond P. Rogina, Mayor

ATEST:

City Clerk

COUNCIL VOTE:

Ayes:

Nays:

Absent:

Abstain:

EXHIBIT "A"

Plat of Vacation for 1125 Fern Ave.

PLAT OF VACATION OF

THAT PART OF A 10 FOOT WIDE ELECTRIC EASEMENT IN PART OF LOT 10 OF SEVENTH AVENUE, UNIT NUMBER 3, IN THAT PART OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS AND DESCRIBE AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 10 AND RUNNING THENCE NORTH 00 DEGREES 11 MINUTES 00 SECONDS EAST ON AND ALONG THE WEST LINE OF THAT PART ELECTRIC EASEMENT OF SAID LOT 10, A DISTANCE OF 10.05 FEET TO A POINT ON THE NORTHERLY LINE OF A 10 FOOT WIDE ELECTRIC EASEMENT; THENCE NORTH 84 DEGREES 26 MINUTES 00 SECONDS EAST ON AND ALONG SAID NORTHERLY LINE, A DISTANCE OF 5.55 FEET TO A POINT OF INTERSECTION WITH THE WEST EDGE OF A CONCRETE FOUNDATION; SAID POINT ALSO BEING THE POINT OF BEGINNING OF A TRACT AS DESCRIBED AS FOLLOWS:

WITH THE WEST EDGE OF A CONCRETE FOUNDATION; THENCE CONTINUING NORTH 84 DEGREES 26 MINUTES 00 SECONDS EAST ON AND ALONG SAID NORTHERLY LINE, A DISTANCE OF 21.95 FEET TO A POINT OF INTERSECTION WITH THE EAST EDGE OF SAID CONCRETE FOUNDATION; THENCE SOUTH 00 DEGREES 38 MINUTES 44 SECONDS WEST ON AND ALONG SAID EAST EDGE, A DISTANCE OF 5.56 FEET TO THE SOUTHWEST CORNER OF SAID CONCRETE FOUNDATION; THENCE NORTH 89 DEGREES 34 MINUTES 43 SECONDS WEST ON AND ALONG THE SOUTH EDGE OF SAID CONCRETE FOUNDATION, A DISTANCE OF 21.55 FEET TO THE SOUTHWEST CORNER OF SAID CONCRETE FOUNDATION; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ON AND ALONG THE WEST EDGE OF THAT PART OF ELECTRIC EASEMENT OF LOT 10 OF SEVENTH AVENUE, UNIT 3 IN ST. CHARLES, ILLINOIS OF SAID CONCRETE FOUNDATION, A DISTANCE OF 0.26 FEET TO THE POINT OF BEGINNING.

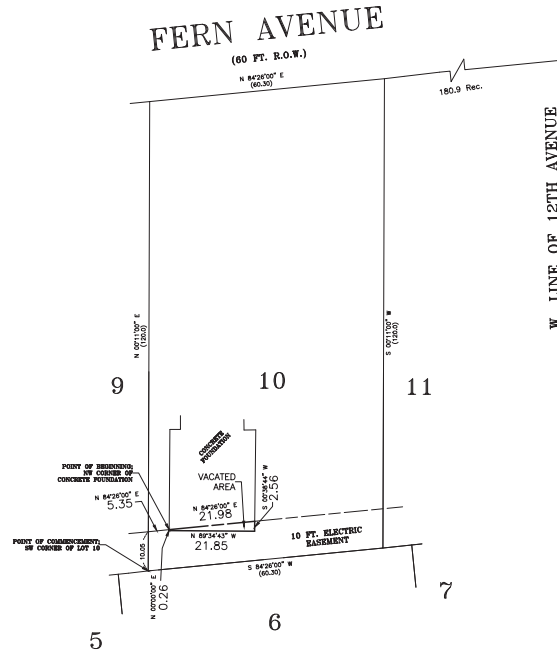
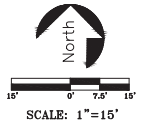
SAID TRACT CONTAINS 31 SQUARE FEET, MORE OR LESS, AND IS SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD, IF ANY.
ADDRESS: 1125 FERN AVENUE, ST. CHARLES, ILLINOIS

P.I.N. 09-35-157-010

**1125 FERN AVENUE
ST. CHARLES, IL.**

PLEASE RETURN THE RECORDED
MYLAR TO:

NAME: CITY OF ST. CHARLES
ADDRESS: 2 E. MAIN STREET
ST. CHARLES, IL 60174



CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS) S.S.
COUNTY OF KANE)

*APPROVED AND ACCEPTED THIS _____ DAY
OF _____ A.D. 2020
CITY COUNCIL OF CITY OF
ST. CHARLES, ILLINOIS

BY: _____
MAYOR

ATTEST: _____
CITY CLERK

COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS) S.S.
COUNTY OF KANE)

THIS PLAT WAS FILED FOR RECORD IN THE
RECORDER'S OFFICE OF KANE COUNTY, ILLINOIS, ON
THE _____ DAY OF _____
A.D. 2020 AT _____ O'CLOCK _____ M. AS
DOCUMENT NUMBER _____

COUNTY RECORDER _____

DESIGNATION TO RECORD

STATE OF ILLINOIS) S.S.
COUNTY OF KANE)

I, GARY HOLT, ILLINOIS LAND SURVEYOR NO. 2880, IN
ACCORDANCE WITH THE PLAT ACT (765ILCS205/2) DO HEREBY
DESIGNATE THE CITY CLERK OF THE CITY OF ST. CHARLES TO
RECORD THIS PLAT. THE REPRESENTATIVE SHALL PROVIDE THE
SURVEYOR WITH A RECORDED COPY OF THIS PLAT.

THIS 14TH DAY OF MAY A.D. 2020

GARY HOLT
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2880
MY LICENSE EXPIRES ON NOVEMBER 30, 2020



SURVEYOR'S CERTIFICATION

STATE OF ILLINOIS) S.S.
COUNTY OF KANE)

THIS IS TO CERTIFY THAT I, GARY HOLT, AN ILLINOIS PROFESSIONAL LAND
SURVEYOR DO HEREBY CERTIFY THAT THE PLAT OF VACATION HEREON DRAWN WAS
PREPARED AT AND UNDER MY DIRECTION. ALL DIMENSIONS SHOWN ARE IN FEET
AND DECIMAL PART THEREOF.

GIVEN UNDER OUR HAND AND SEAL AT BRIDGVIEW, ILLINOIS, THIS
14TH DAY OF MAY A.D. 2020

GARY HOLT - LIC.#035402880 - EXPIRES 11/30/20

P.S.I. No. 200980



P.S.I. DESIGN FIRM LAND SURVEYOR CORPORATION
LIC.#114-02795 - EXPIRES 04/30/20

Professional Design Registration #184-008795

Preferred SURVEY, INC.
7845 W. 70TH STREET, BRIDGVIEW, IL 60455
Phone 708-458-7845 / Fax 708-458-7855
www.psdsurvey.com

| | | | |
|----------------------|------------|-------------|----------|
| Field Book Completed | 10/24/2019 | FILED CHECK | SP/29/08 |
| Lead Area Surveyed | St. FL | CAD. | MD |
| Drawing Revised | | | |

FIELD SURVEY
PERFORMED: 10/24/2019

To whom it may concern,

I am formally recognizing the requests made by the St. Charles Electric Department regarding the garage being rebuilt for my property (1125 Fern Ave.) I will be complying with the 2 requests noted below:

1. The electric meter will be accessible
2. Conduit will be used for the electric wire between the house and the garage

These conditions will be met before final inspection is conducted for the garage building permit

Nathan Roberts

(Signature)

6/2/20

(Date)