



2020003732

DOUGLAS J. JOHNSON
RECORDER - DEKALB COUNTY, IL

RECORDED: 4/30/2020 01:12 PM

REC FEE: 55.00

STATE OF ILLINOIS)
COUNTY OF DEKALB) SS
CITY OF DEKALB)

PAGES: 8

"KEEP IN FILE"

*Plat Cabinet 11
Slide 2-D*

CERTIFICATION

I, **RUTH A. SCOTT**, am the duly qualified and appointed Executive Assistant of the City of DeKalb, DeKalb County, Illinois, as authorized by Local Ordinance 2019-059, and as such Executive Assistant, I maintain and am safe-keeper of the records and files of the Mayor and City Council of said City.

I do hereby certify that the attached hereto is a true and correct copy of:

ORDINANCE 2020-027

VACATING A CERTAIN PORTION OF CREGO ROAD IN THE CITY OF DEKALB, ILLINOIS (PROJECT VENTUS).

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, on the 27th day of April 2020.

WITNESS my hand and the official seal of said City this 28th day of April 2020.

RUTH A. SCOTT, Executive Assistant



Prepared by and return to:

City of DeKalb
City Manager's Office
Attention: Ruth A. Scott
200 S. Fourth Street
DeKalb, Illinois 60115

VACATING A CERTAIN PORTION OF CREGO ROAD IN THE CITY OF DEKALB, ILLINOIS (PROJECT VENTUS).

WHEREAS, the City of DeKalb (the "City") is a home rule unit of local government which may exercise any power and perform any function pertaining to its government and affairs pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, Section 11-91-1 of the Illinois Municipal Code (65 ILCS 5/11-91-1) provides that whenever the City's corporate authorities determine that the public interest will be served by vacating any street or alley, or part thereof, within their jurisdiction in any incorporated area, they may vacate that street or alley, or part thereof, by an ordinance and determine that the owner of property abutting upon the street or alley, or part thereof so vacated, shall acquire title to the entire vacated street or alley, or part thereof vacated, and

WHEREAS, the City's corporate authorities find that it is in the public interest and promotes the public health, safety, and welfare to vacate a certain portion of Crego Road as legally described in the attached hereto and incorporated herein Exhibit A (the "Property") and as further depicted in the Plat of Vacation attached hereto and incorporated herein as Exhibit B (the "Plat of Vacation"); and

WHEREAS, Ventus Tech Services LLC (the "Owner") is the owner of all property abutting upon the Property; and

WHEREAS, the City's corporate authorities find that: (1) the relief to the public from the further burden and responsibility of maintaining the Property constitutes a public use and the fair market value of the Property; and, (2) the Owner shall acquire title to the Property upon its vacation; and

WHEREAS, proper notice of the hearing to vacate the Property in the form attached hereto and incorporated herein as Exhibit C (the "Notice of Hearing") and the hearing thereon has been provided pursuant to 65 ILCS 5/11-91-1; and

WHEREAS, on April 27, 2020, the City Council held a public hearing on the vacation of the Property prior to the consideration of this Ordinance; and

WHEREAS, the City's corporate authorities approved the annexation of the Property prior to the consideration of this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of DeKalb, DeKalb County, Illinois, as follows:

SECTION 1: The foregoing recitals are true, material, adopted and incorporated into this Ordinance as if they were fully set forth in this Section 1.

SECTION 2. The City's corporate authorities, by the affirmative vote of at least three-fourths of those then holding office, approve of the vacation of the Property legally described in Exhibit A to this Ordinance and the Plat of Vacation attached hereto and incorporated herein as Exhibit B to this Ordinance, and hereby authorize the Mayor and City Clerk to execute and attest the Plat of Vacation.

SECTION 3. The City's corporate authorities approve and direct that, upon vacation of the Property, title to the Property shall vest in Ventus Tech Services LLC, who is the owner of property abutting the Property located at PIN 11-01-100-001 and PIN 11-02-200-001.

SECTION 4. The City's corporate authorities authorize and direct the Mayor, City Attorney and City Manager to execute a deed, closing statements and all other documentation which may be required for the sale, conveyance and recording of the Property upon its vacation.

SECTION 5. This Ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the City of DeKalb that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, that this Ordinance shall supersede state law in that regard within its jurisdiction.

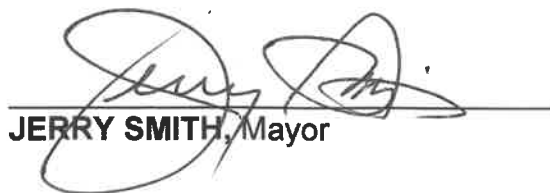
SECTION 6. As a result of the need to timely record this Ordinance and the Plat of Vacation approved herein, the City's corporate authorities find and determine that this Ordinance shall be effective immediately upon its passage and approval and shall subsequently be published in pamphlet form.

ADOPTED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 27th day of April 2020 and approved by me as Mayor on the same day.

ATTEST:



RUTH A. SCOTT
Executive Assistant



JERRY SMITH, Mayor



EXHIBIT A
(Legal Description)

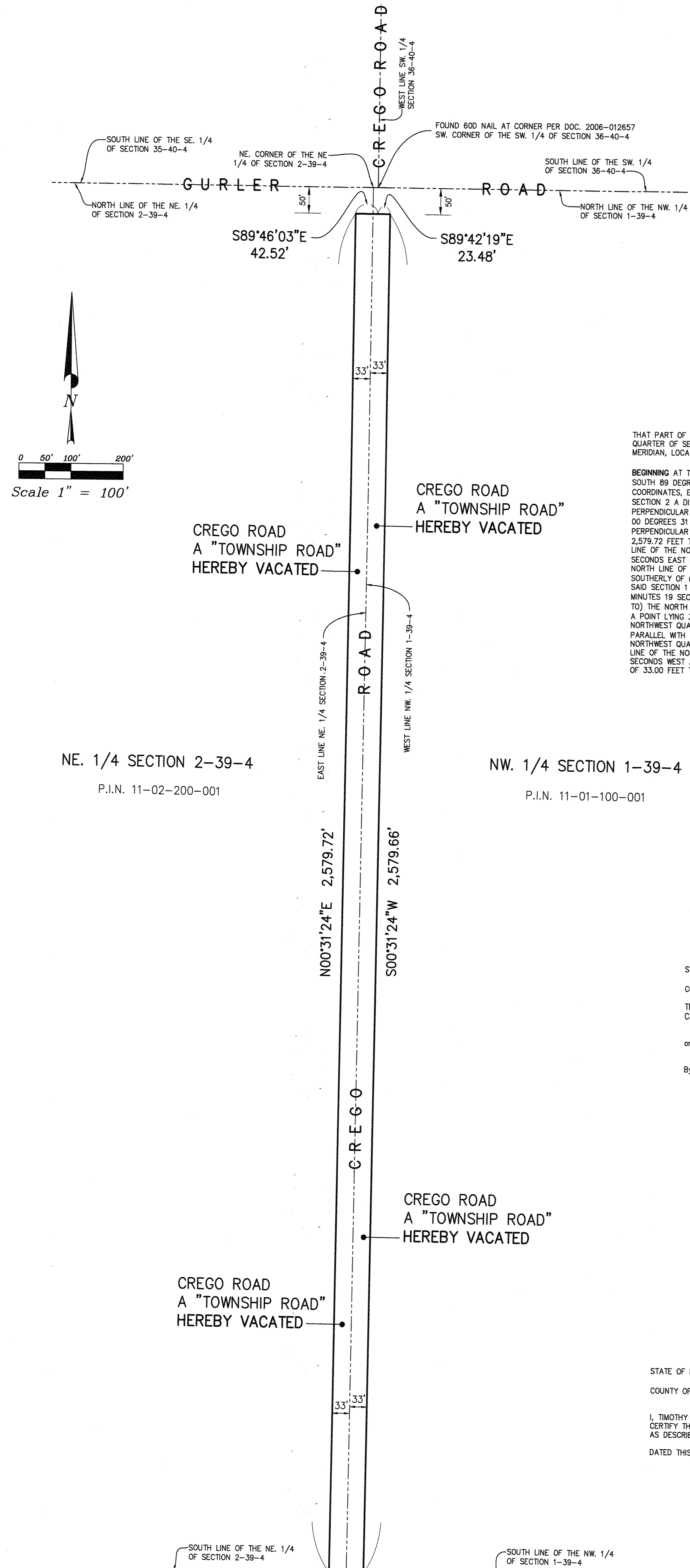
THAT PART OF THE NORTHWEST QUARTER OF SECTION 1 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 2, ALL IN TOWNSHIP 39 NORTH, RANGE 4 EAST, OF THE THIRD PRINCIPAL MERIDIAN, LOCATED IN DEKALB COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 2; THENCE SOUTH 89 DEGREES 57 MINUTES 05 SECONDS WEST (BASIS OF BEARINGS - ILLINOIS STATE PLANE COORDINATES, EAST ZONE (NAD83)) ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2 A DISTANCE OF 33.00 FEET TO A POINT LYING 33 FEET WESTERLY OF (MEASURED PERPENDICULAR TO) THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2; THENCE NORTH 00 DEGREES 31 MINUTES 24 SECONDS EAST PARALLEL WITH AND 33 FEET WESTERLY OF (MEASURED PERPENDICULAR TO) THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2 A DISTANCE OF 2,579.72 FEET TO A POINT LYING 50 FEET SOUTHERLY OF (MEASURED PERPENDICULAR TO) THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2; THENCE SOUTH 89 DEGREES 46 MINUTES 03 SECONDS EAST PARALLEL WITH AND 50 FEET SOUTHERLY OF (MEASURED PERPENDICULAR TO) THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2 AND PARALLEL WITH AND 50 FEET SOUTHERLY OF (MEASURED PERPENDICULAR TO) THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 1 A DISTANCE OF 42.52 FEET TO A BEND POINT; THENCE SOUTH 89 DEGREES 42 MINUTES 19 SECONDS EAST PARALLEL WITH AND 50 FEET SOUTHERLY OF (MEASURED PERPENDICULAR TO) THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 1 A DISTANCE OF 23.48 FEET TO A POINT LYING 33 FEET EASTERLY OF (MEASURED PERPENDICULAR TO) THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 1; THENCE SOUTH 00 DEGREES 31 MINUTES 24 SECONDS WEST PARALLEL WITH AND 33 FEET EASTERLY OF (MEASURED PERPENDICULAR TO) THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 1 A DISTANCE OF 2,579.66 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 1; THENCE NORTH 89 DEGREES 32 MINUTES 16 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 1 A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3.909 ACRES, MORE OR LESS.

**EXHIBIT B
(Plat of Vacation)**

PLAT OF VACATION

OF
 THAT PART OF THE NORTHWEST QUARTER OF SECTION 1, AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 2,
 ALL IN TOWNSHIP 39 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, DEKALB COUNTY, ILLINOIS



THAT PART OF THE NORTHWEST QUARTER OF SECTION 1 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 2, ALL IN TOWNSHIP 39 NORTH, RANGE 4 EAST, OF THE THIRD PRINCIPAL MERIDIAN, LOCATED IN DEKALB COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CERTIFICATE OF CITY COUNCIL

STATE OF ILLINOIS)
 COUNTY OF DEKALB) SS
 This is to certify that the attached plat was approved by the Mayor and City Council of the City of DeKalb, DeKalb County, Illinois,

on this 27th day of April, 2020.

By: *Jerry Smith* Attest: *Ruth A. Scott*
 Mayor Executive Assistant
 (PLEASE SIGN & PRINT) (PLEASE SIGN & PRINT)



STATE OF ILLINOIS)
 COUNTY OF DUPAGE) SS

I, TIMOTHY G. WOLFE, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-003535, DO HEREBY CERTIFY THAT I HAVE PREPARED THIS PLAT OF VACATION FOR THAT PORTION OF CREGO ROAD AS DESCRIBED AND DEPICTED HEREON.
 DATED THIS 13TH DAY OF MARCH IN THE YEAR 2020.

Timothy G. Wolfe
 Timothy G. Wolfe
 Illinois Professional Land Surveyor No. 35-003535
 Jacob & Hefner Associates
 My License Expires November 30, 2020



REVISED: 03-31-2020 - PER CITY REVIEW COMMENTS

Survey No.:	D 4 6 0 j
Ordered By.:	Berge Design Solutions
Description:	Plat of Vacation
Date Prepared:	March 13, 2020
Scale:	1" = 100'
Field Work:	N/A
Prepared By:	TGW

S89°57'05"W 33.00'
 N89°32'16"W 33.00'

POINT OF BEGINNING
 FOUND 3/4" IRON PIPE REFERENCING THE CORNER
 LOCATION OF A STONE AT THE CORNER PER DOC.
 1978-413834. PIPE IS 0.25 FEET WEST OF THE STONE.
 SE. CORNER OF THE NE. 1/4 OF SECTION 2-39-4

202003732 11/2-0

JACOB & HEFNER ASSOCIATES
 1333 Butterfield Road, Suite 300, Downers Grove, IL 60515
 PHONE: (630) 652-6600, FAX: (630) 652-6601
 www.jacobandhefner.com
 Illinois Professional Design Firm
 License No. 184-603973 Exp. 4/30/21

EXHIBIT C
(Notice of Hearing)

EXHIBIT C

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on April 27, 2020, at 6:00 PM, at the DeKalb Municipal Building, 200 S. 4th Street, DeKalb, Illinois, a hearing will be held by the Mayor and City Council of the City of DeKalb to consider the proposed vacation of a portion of Crego Road located south of Gurler Road and as described below:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 1 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 2, ALL IN TOWNSHIP 39 NORTH, RANGE 4 EAST, OF THE THIRD PRINCIPAL MERIDIAN, LOCATED IN DEKALB COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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All interested parties will be heard on the proposed vacation and are invited to appear at the time and place listed above. Interested parties are also encouraged to submit written comments on the proposal to the City of DeKalb, 200 South Fourth Street, DeKalb, Illinois, 60115 or the Online Public Comment Submission Form at <https://www.cityofdekalb.com/FormCenter>. Further information regarding the petition is also available from the Community Development Department at (815) 748-2070 or on the City of DeKalb's web page at <https://www.cityofdekalb.com/1103/Public-Hearings>.

Ruth Scott, Executive Assistant