PASSED: NOVEMBER 22, 2021

APPROVING A PLAT OF VACATION FOR NORTHLAND PLAZA RESUBDIVISION NO. 3 (B33 NORTHLAND PLAZA, LLC).

WHEREAS, the City of DeKalb (the "City") is a home rule unit of local government and 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, B33 Northland Plaza LLC (the "Applicant") filed a petition with the City requesting approval of a Plat of Vacation for a portion of a utility easement that is legally described in Exhibit A attached hereto and incorporated herein by reference (the "Legal Description") and Exhibit B attached hereto and incorporated herein by reference (the "Plat of Vacation"); and

WHEREAS, on November 15, 2021, the City's Planning and Zoning Commission met and recommended approval of the Plat of Vacation; and

WHEREAS, the City's corporate authorities adopt and incorporate the findings of the City's Planning and Zoning Commission recommending the approval of the Plat of Vacation; and

WHEREAS, the City's corporate authorities find that it is in the City's best interests for the promotion of the public health, morals and welfare to approve the Plat of Vacation, pursuant to the provisions of this Ordinance; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL of the City of DeKalb, Illinois as follows:

SECTION 1. The City's corporate authorities approve the Plat of Vacation dated November 4, 2021, a copy of which is attached hereto and incorporated herein as Exhibit B; provided, however, that Applicant shall show City staff that it has obtained agreements or releases from all applicable utilities consenting to the Plat of Vacation before recording the Plat of Vacation with DeKalb County Recorder.

SECTION 2. The City's corporate authorities authorize and direct the Mayor and Chairman of the City's Planning and Zoning Commission to execute the Plat of Vacation, the Executive Assistant to attest or notarize the Plat of Vacation, and for City staff to take all actions as may be necessary to record and effectuate the Plat of Vacation.

SECTION 3: 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 City's corporate authorities 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. The invalidity of any section of this Ordinance shall not invalidate other sections or provisions thereof.

SECTION 4: This ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 22nd day of November 2021 and approved by me as Mayor on the same day. Passed on First Reading by a 6-0-2 roll call vote. Aye: Morris, Larson, Perkins, McAdams, Faivre, Barnes. Nay: None. Absent: Smith, Verbic. Second Reading waived by a 6-0-2 roll call vote. Aye: Morris, Larson, Perkins, McAdams, Faivre, Barnes. Nay: None. Absent: Smith, Verbic.



COHEN BARNES, Mayor

ATTEST:

Ruth A. Scott, Executive Assistant

Exhibit A

Legal Description

PART OF LOT 1 IN NORTHLAND PLAZA RESUBDIVISION NO. 3, RECORDED OCTOBER 13, 2020 IN PLAT CABINET 11, SLIDE 9-D AS DOCUMENT NUMBER 2020010624, BEING A RESUBDIVISION OF NORTHLAND PLAZA RESUBDIVISION NO. 2, RECORDED MARCH 21, 2019 IN PLAT CABINET 10, SLIDE 189-C, AS DOCUMENT NUMBER 2019002045, BEING PART OF SECTION 12, TOWNSHIP 40 NORTH, RANGE 4, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DEKALB COUNTY, ILLINOIS.

LEGEND & ARREVIATIONS

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LOT 1

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PLAT OF VACATION / ABROGATION **EXHIBIT B**

BITUMINOUS

30.00

Utility Easement Per Document No. 2003008143

PART OF LOT 1 IN NORTHLAND PLAZA RESUBDIVISION NO. 3. RECORDED OCTOBER 13, 2020 IN PLAT CABINET 11. SLIDE 9-D AS DOCUMENT NUMBER 2020010824. PART OF INTERPRETATION PLACE RESURDIVISION OF A RESURDIVISION NO. 2, RECORDED MARCH 21, 2019 IN PART CARINET 10, SLIDE 189-C, AS DOCUMENT NUMBER 2019002045, BEING A RESURDIVISION OF SECTION 12, TOWNSHIP 40 NORTH, BANGE 4, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DEKALB COUNTY, ILLINOIS.

BLOG HT: 26



P.I.N.'s that affect: 0812451019

OWNER'S	CERTIFICATE

STATE OF ILLINOIS

THIS IS TO CERTIFY THAT THE UNDERSIONED, B33 NORTHLAND PLAZA, LLC, IS THE LEGAL OWNER OF LOT 1 OF THE LAND DESCRIBED ON THE ATTACHED PLAT, AND HAS CAUSED THE SAME TO BE BURNEYED AND SUBDIMIDED AS INDICATED THEREON FOR THE USES AND PURPOSES THEREIN SET FORTH,

839 NORTHLAND PLAZA, LLC 8330 W, SAHARA AVENUE, SUITE 270 LAS VEGAS, NV 89117

DATED AT_	Clt.	, ILLINOIS, THIS	DAY OF	. A.D.,
BY:		TITLE:		
ATTECT	DIGNATURE	TITLE	PPHT TILE	

SCHOOL DISTRICT STATEMENT

IN LOSS OF THE PLAT ACT, 785 LOSS 265, THIS DOCUMENT SHALL BETWE AS THE ECHOOL FOR THE SEST OF THE OWNERS INNOVLEDGE THE SIGNOPLE SISTINGT (S) IN WHICH THE TRACT OF QUI (WHICH SECTION), DETRICITIES

NOTARYS CERTIFICATE

STATE OF ___

NOTATY PUBLIC SIGNATURE

A NOTARY PUBLIC IN AND FOR THE SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT ____ PRINTHALE OF SAID OWNER, WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FORGOING INSTRUMENT AS SUCH RESPECTFULLY, APPEARED BEFORE ME THIS DAY IN PERSON AND JOINTLY AND SEVERALLY ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FRIEE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID OWNER FOR THE USES AND PURPOSES THEREIN SET FORTH. GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, A.D., 2021,

MY COMMISSION EXPIRES ON _______ A.D., 2021.

CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS)

1 S.S.

COUNTY OF DEKALB)

THIS IS TO CERTIFY THAT THE ATTACHED PLAT WAS APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DEMALS, ILLINOIS

ON THIS __ DAY OF ___ MAYOR (SIGNATURE) DOINT NAME

EXECUTIVE ASSISTANT (SIGNATURE)

PLANNING AND ZONING COMMISSION CERTIFICATE

STATE OF ILLINOIS)
J S.S.
COUNTY OF DEKALB)

THIS IS TO CERTIFY THAT THE ATTACHED PLAT WAS APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF DEXAUS, ILLINOIS

ONTHIS ___ DAY OF ____

CHAIRMAN (SIGNATURE) CHAIRMAN (PRINT NAME)

VICINITY MAP



COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS) COLINTY OF DEKALB

THIS PLAT WAS FILED FOR RECORD IN THE RECORDERS OFFICE OF DEKALB COUNTY, AFORESAID ON THIS ______ DAY OF

__ IN PLAT CABINET ____ AS DOCUMENT NO. _

DOUGLAS J. JOHNSON - COUNTY RECORDER

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS 1 COUNTY OF DEKALB)

I, DOUGLAS J, JOHNSON, COUNTY CLERK IN AND FOR DEKALB COUNTY, IN THE STATE OF ILLIMOIS, DO HERBY CERTIFY THAT I HAVE EXAMINED THE RECORDS AND HAVE FOUND NO ELEMENDATE GENERAL TAXES, UMPAID GENERAL CHRENT TAKES, DELINQUIENT SPECIAL ASSESSMENTS, OR UMPAID CURRENT SPECIAL ASSESSMENTS AN

THIS _____ DAY OF ____

DOUGLAS J. JOHNSON - COUNTY CLERK (SIGNATURE)

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
\$SS
COUNTY OF WILL)

THIS IS TO CERTIFY THAT I, JAMES L. HARPOLE, AN ILLINOIS REGISTERED LAND SURVEYOR, HAVE SURVEYED THE FOLLOWING DESCRIBED PROPERTY:

LOT 1 NORTHLAND PLAZA RESUBDINISION NO. 3, RECORDED OCTOBER 19, 2000 IN PLAT CORNETT 13, 5000 EM 240 COLORANY NUMBERS abdotteded, BERNE A 2007 IN PLAT CORNETT 16, 5000 EM 240 COLORANY NUMBERS 2007 IN PLAT CORNETT 16, 5000 EM 240 COLORANY NUMBERS 2019 OCTOBER 10, 1000 EM 240 COLORANY NUMBER 2019 OFFICIAL PLANT OF THE THIRD PRINCIPAL MERITARY DESCRIPTION, TO RECORD CONTY, LIDINO PLANT OF THE THIRD PRINCIPAL MERITARY NUMBER 2019 COLORANY LIDINO STATE OF THE THIRD PRINCIPAL MERITARY NUMBER 2019 COLORANY LIDINO STATE OF THE THIRD PRINCIPAL MERITARY NUMBER 2019 COLORANY LIDINO STATE OF THE THIRD PRINCIPAL MERITARY NUMBER 2019 COLORANY LIDINO STATE OF THE THIRD PRINCIPAL MERITARY NUMBER 2019 COLORANY LIDINO STATE OF THE THIRD PRINCIPAL MERITARY NUMBER 2019 COLORANY LIDINO STATE OF THE THIRD PRINCIPAL MERITARY NUMBER 2019 COLORANY NUMBER 2019 CO

I FURTHER CERTIFY THAT BASED UPON AN EXAMINATION OF THE FEDERAL BHERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP COMMUNITY-SHELL NO. 1703/COUSSE SHOWS THAT THE PROPERTY SURVEYED HEREON IS NOT SUBJECT TO FLOOD RISK AND THAT SAID PROPERTY FALLS WITHIN ZONEX.

I FURTHER CERTIFY THAT THE PROPERTY AS DESCRIBED FALLS WITHIN THE CORPORATE LIMITS OF THE CITY OF DEVALB,

DATED AT SHOREWOOD, ILLINOIS, THIS _____OF ___

SURVEYOR SIGNATURE

JAMES L. HARPOLE
ILLINOIS PROFESSIONAL LAND SURVEYOR # 3190
REGISTRATION / EXPIRATION RENEWAL DATE NOVEMBER 30, A.D., 2022.

JLH LAND
SURVEYING INC.
Bress Preserved Deign Fron to 144007/20
910 General Street, Sharewood, Illinds 604/04



ø Bridge33 Capital 4001 S. Decatur Blvd., Suite 6 Las Vegas, NV 89103 PHONE: 702.463.4603 SURVEY PREPARED FOR



2550 SYCAMORE ROAD NORTHLAND PLAZA DEKALB, ILLINOIS

ROLHOD, JLH HAL VE HALL EDIAY JLH FIELDOATE 09/21/2021 SCALE 17430"

SHEET 1 or 1

19-821-100A



2021015320

DOUGLAS J. JOHNSON RECORDER - DEKALB COUNTY, IL

RECORDED: 11/24/2021 09:39 AM

REC FEE: 55.00

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

PAGES: 5

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 2021-047

APPROVING A PLAT OF VACATION FOR NORTHLAND PLAZA RESUBDIVISION NO. 3 (B33 NORTHLAND PLAZA, LLC), DEKALB, ILLINOIS.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, on the 22nd day of November 2021.

WITNESS my hand and the official seal of said City this 23rd day of November 2021.

RUTH A. SCOTT, Executive Assistant

Prepared by and Return to:

City of DeKalb City Manager's Office Attention: Ruth A. Scott 164 E. Lincoln Highway DeKalb, Illinois 60115

