

**VACATING A CERTAIN PORTION OF SIMONDS AVENUE IN THE CITY OF DEKALB, ILLINOIS.**

**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**, 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 part thereof, within their jurisdiction in any incorporated area, they may vacate that street, or part thereof, by an ordinance and determine that the owner of property abutting upon the street, or part thereof so vacated, shall acquire title to the entire vacated street, or part thereof vacated; and

**WHEREAS**, the City's corporate authorities find that it is in the public interest to vacate a certain part of Simonds Avenue, which is legally described in the attached and incorporated Exhibit A (the "Property") and further depicted in the Plat of Vacation attached and incorporated as Exhibit B (the "Plat of Vacation"); and

**WHEREAS**, Mereo Real Estate Partners LLC ("Mereo") is the owner of property described by permanent index number (PIN) 08-23-477-008 (the "Abutting Property"), which abuts 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) Mereo shall acquire title to the Property upon its vacation and subject to the provisions of a subsequently negotiated purchase and sale agreement between Mereo and the City which shall include, but not be limited to, Mereo's payment of 100% of the purchase price and closing costs, and which shall be contingent upon the subsequent approval of the City and Mereo (the "PSA"); and

**WHEREAS**, on April 14, 2025, pursuant to due notice as shown by the proof of newspaper publication attached and incorporated as Exhibit C (the "Notice"), the City Council held a public hearing on the vacation of the Property before considering this ordinance; and

**WHEREAS**, the City's corporate authorities find that vacating the Property is in the City's best interests for the protection of the public health, safety, and welfare; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEKALB, ILLINOIS:**

**SECTION 1:** The recitals to this ordinance are true, material, adopted and incorporated as Section 1 to this ordinance.

**SECTION 2:** The City's corporate authorities, by the affirmative vote of at least three-fourths of those then holding office, approve the vacation of the Property and the Plat of Vacation.

**SECTION 3:** The City's corporate authorities, by the affirmative vote of at least three-fourths of those then holding office, approve, authorize, and direct that title to the Property shall vest in Mereo, as the record owner of the Abutting Property described by PIN 08-23-477-008, upon the vacation of the Property and subject to the provisions of the PSA.

**SECTION 4:** The City's corporate authorities authorize and direct the City Attorney and City Manager to negotiate and execute the PSA, deed, closing statement, and such other documents that may be necessary to effectuate the conveyance of the Property to Mereo.

**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 City's corporate authorities that if this ordinance is inconsistent with any non-preemptive state law, then this Ordinance shall supersede state law in that regard within its jurisdiction.

**SECTION 6:** 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 28<sup>th</sup> day of April 2025 and approved by me as Mayor on the same day. First Reading passed on April 14, 2025, by an 8-0 roll call vote. Aye: Zasada, Larson, Smith, Perkins, Powell, Verbic, Walker, Barnes. Nay: None. Second Reading passed April 28, 2025, by a 7-0-1 roll call vote. Aye: Larson, Smith, Perkins, Powell, Verbic, Walker, Barnes. Nay: None. Absent: Zasada.



A handwritten signature in cursive script, appearing to read "Cohen Barnes", is written over a horizontal line.

**COHEN BARNES, Mayor**

ATTEST:

A handwritten signature in cursive script, appearing to read "Ruth A. Scott", is written over a horizontal line.

**Ruth A. Scott, Executive Assistant**

**EXHIBIT A**  
**(Legal Description)**

The Property is legally described as follows:

THAT PART OF SIMONDS AVENUE, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 20 IN THE FIRST ADDITION TO DEKALB INDUSTRIAL DISTRICT SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED JULY 18, 1973 AS DOCUMENT NO. 374495; THENCE EASTERLY, ALONG THE NORTHERLY LINE OF LOT 20 EXTENDED, 33.00 FEET; THENCE NORTHERLY, AT RIGHT ANGLE TO THE LAST DESCRIBED COURSE, 110.79 FEET; THENCE WESTERLY, AT RIGHT ANGLE TO THE LAST DESCRIBED COURSE, 66.00 FEET; THENCE SOUTHERLY, AT RIGHT ANGLE TO THE LAST DESCRIBED COURSE, 110.79 FEET TO A POINT ON SAID NORTH LINE; THENCE EASTERLY, AT RIGHT ANGLE TO THE LAST DESCRIBED COURSE, ALONG SAID NORTH LINE, 33.00 FEET TO THE POINT OF BEGINNING, IN THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS.

**EXHIBIT B**  
**(Plat of Vacation)**

# PLAT OF VACATION

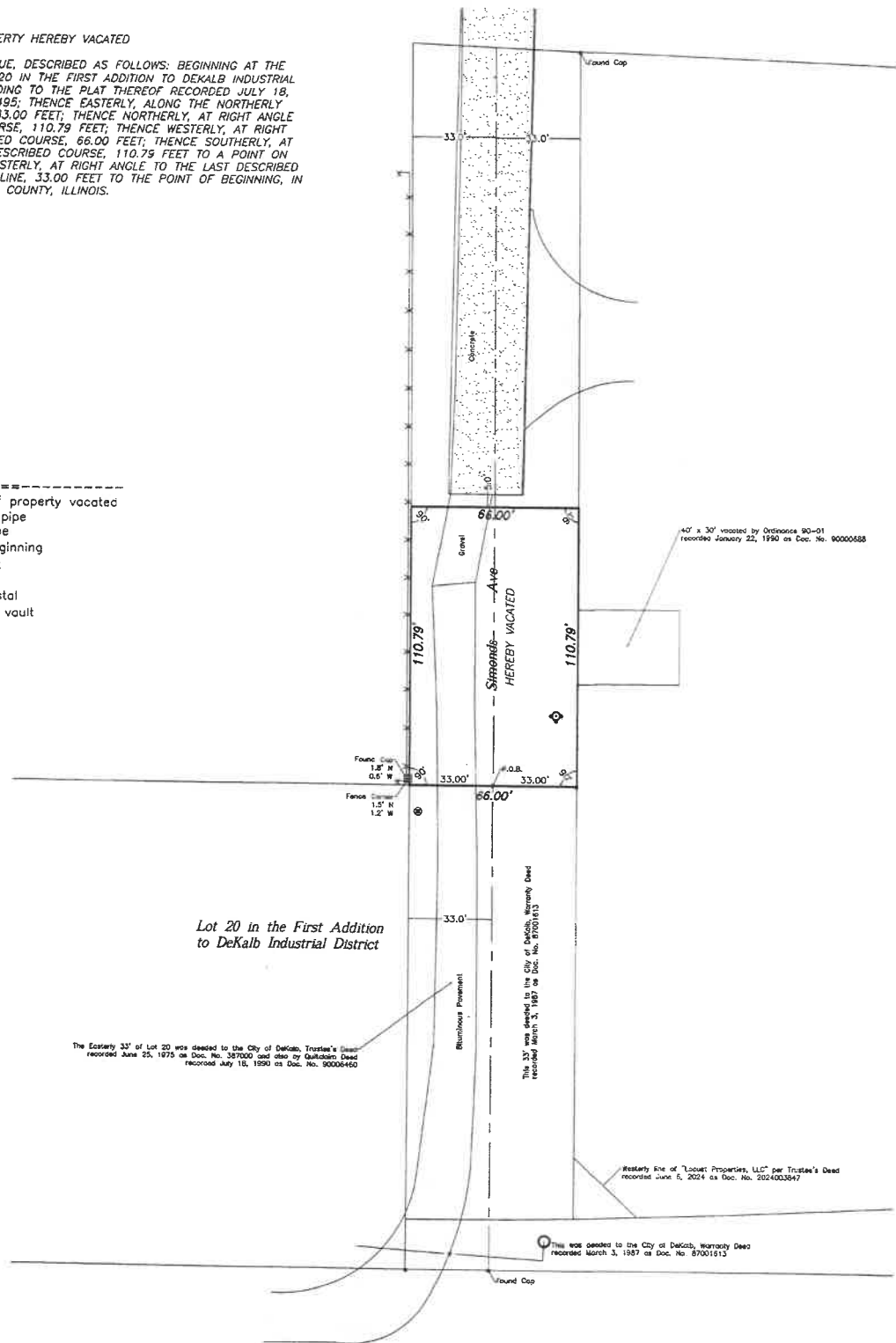
## EXHIBIT B

### LEGAL DESCRIPTION OF PROPERTY HEREBY VACATED

THAT PART OF SIMONDS AVENUE, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 20 IN THE FIRST ADDITION TO DEKALB INDUSTRIAL DISTRICT SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED JULY 18, 1973 AS DOCUMENT NO. 374495; THENCE EASTERLY, ALONG THE NORTHERLY LINE OF LOT 20 EXTENDED, 33.00 FEET; THENCE NORTHERLY, AT RIGHT ANGLE TO THE LAST DESCRIBED COURSE, 110.79 FEET; THENCE WESTERLY, AT RIGHT ANGLE TO THE LAST DESCRIBED COURSE, 66.00 FEET; THENCE SOUTHERLY, AT RIGHT ANGLE TO THE LAST DESCRIBED COURSE, 110.79 FEET TO A POINT ON SAID NORTH LINE; THENCE EASTERLY, AT RIGHT ANGLE TO THE LAST DESCRIBED COURSE, ALONG SAID NORTH LINE, 33.00 FEET TO THE POINT OF BEGINNING, IN THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS.

CONTAINS 7,312 SQ. FT.

LEGEND	
---	Boundary of property vacated
•	Found iron pipe
o	Set iron pipe
P.O.B.	Point of beginning
⊕	Fire hydrant
⊙	Manhole
⊞	Utility pedestal
⊠	Water valve vault
—W—	Water line



SCALE 1"=30'

DATED THIS 2ND DAY OF DECEMBER, 2024.

LESLIE AARON DOOGS

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3833  
LICENSE EXPIRATION DATE: NOVEMBER 30TH, 2026



FOR: ALGUS PACKAGING LLC  
JOB NO. 17590

2025004309

JADE Hanno Surveyors  
155 N 3rd Street  
DeKalb, IL 60115  
(815) 756-2189  
info@hannasurveyors.com  
License No. 184006622

11/97-P

**EXHIBIT C**  
**(Notice of Hearing)**

Daily Chronicle

# DAILY CHRONICLE

Publication Name:  
**Daily Chronicle**

Publication URL:  
[www.daily-chronicle.com](http://www.daily-chronicle.com)

Publication City and State:  
**DeKalb, IL**

Publication County:  
**DeKalb**

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Notice Popular Keyword Category:

Notice Keywords:  
**DeKalb**

Notice Authentication Number:  
**202503211113216749182**  
**1122051138**

Notice URL:

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Notice Publish Date:  
Friday, March 21, 2025

## Notice Content

LEGAL NOTICE NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN that on April 14, 2025, at 6:00 PM, in the Yusunas Meeting Room at the DeKalb Public Library, 309 Oak St., DeKalb, IL 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 Simonds Ave. as described below: THAT PART OF SIMONDS AVENUE, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 20 IN THE FIRST ADDITION TO DEKALB INDUSTRIAL DISTRICT SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED JULY 18, 1973 AS DOCUMENT NO. 374495; THENCE EASTERLY, ALONG THE NORTHERLY LINE OF LOT 20 EXTENDED, 33.00 FEET; THENCE NORTHERLY, AT RIGHT ANGLE TO THE LAST DESCRIBED COURSE, 110.79 FEET; THENCE WESTERLY, AT RIGHT ANGLE TO THE LAST DESCRIBED COURSE, 66.00 FEET; THENCE SOUTHERLY, AT RIGHT ANGLE TO THE LAST DESCRIBED COURSE, 110.79 FEET TO A POINT ON SAID NORTH LINE; THENCE EASTERLY, AT RIGHT ANGLE TO THE LAST DESCRIBED COURSE, ALONG SAID NORTH LINE, 33.00 FEET TO THE POINT OF BEGINNING, IN THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS. 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, 164 E. Lincoln Highway, DeKalb, Illinois, 60115 or at Ruth.Scott@cityofdekalb.com. Further information regarding the petition is also available from the Community Development Department at (815) 748-2361 or on the City of DeKalb's web page at <https://www.cityofdekalb.com/1103/Public-Hearings>. Ruth Scott, Executive Assistant (Published in the Daily Chronicle March 21, 2025) 2233648

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"KEEP IN FILE"

Plat Cabinet 11

Slide # 97-D

2025004309

## JADE Hanna Surveyors

155 N. 3<sup>rd</sup> St. DeKalb, IL 60115

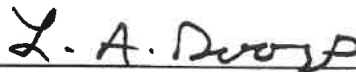
Phone: 815-756-2189 Fax: 815-748-2532

Email: [info@hannasurveyors.com](mailto:info@hannasurveyors.com)

DeKalb County Recorder  
110 E Sycamore Rd  
Sycamore, IL 60178

I, Leslie Aaron Doogs, Illinois Professional Land Surveyor No. 3833 and owner of JADE Hanna Surveyors, provider of the Plat of Vacation of a portion of Simonds Ave. DeKalb, IL 60115, hereby authorize Ruth Scott with the City of DeKalb, whose business address is 164 E. Lincoln Hwy. DeKalb, IL 60115, to present the above plat for recording.

Witness my hand and seal at DeKalb, IL., this 27<sup>th</sup> day of May 2025.



Leslie Aaron Doogs  
Illinois Professional Land Surveyor No. 3833







2025004309

**TASHA SIMS**

**RECORDER - DEKALB COUNTY, IL**

**RECORDED: 6/11/2025 03:31 PM**

**REC FEE: 55.00**

**PAGES: 9**

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

**CERTIFICATION**

**"KEEP IN FILE"**

*Plat Cabinet 11  
Slide # 97-D*

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 2025-015**

**VACATING A CERTAIN PORTION OF SIMONDS AVENUE IN THE CITY  
OF DEKALB, ILLINOIS.**

**PASSED BY THE CITY COUNCIL** of the City of DeKalb, Illinois, on the 28<sup>th</sup> day of April 2025.

**WITNESS** my hand and the official seal of said City this 11<sup>th</sup> day of June 2025.



**RUTH A. SCOTT**, Executive Assistant/Recording Secretary

**Prepared by:**

City of DeKalb  
164 E. Lincoln Highway  
DeKalb, Illinois 60115