



VILLAGE OF ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
www.orland-park.il.us

Ordinance No: 4427

File Number: 2008-0695

VACATION OF A CERTAIN PARCEL OF LAND SET ASIDE FOR LEMOYNE STREET, SOUTH
OF 144TH STREET

VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 4th day of November, 2008 by authority of the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois.

VILLAGE OF ORLAND PARK

Ordinance No: 4427

VACATION OF A CERTAIN PARCEL OF LAND SET ASIDE FOR LEMOYNE STREET, SOUTH OF 144TH STREET

WHEREAS, LeMoynes Street immediately south of 144th Street, in the Village was a dedicated but unimproved twenty-nine foot (29') right-of-way which, from the south right-of-way line of 144th Street extends south one hundred forty-two (142') feet in length; and

WHEREAS, the Board has determined that the said dedicated but unimproved right-of-way will never be improved and is willing to vacate said right-of-way; and

WHEREAS, STATE BANK OF COUNTRYSIDE, not personally but as Trustee under Trust Agreement dated October 17, 1994, and known as Trust No. 94-1497 (the beneficiary of said Trust being THOMAS WALSH) is the owner of the property (the "owner") lying immediately adjacent to the north seventy-four (74') feet of said right-of-way and is willing to compensate the Village for the vacation of said right-of-way; and

WHEREAS, the Board has determined that such vacation is in the best interest of the Village; and

WHEREAS, in the judgment of the Board, the fair market value of the property to be acquired by the owner equals FOURTEEN THOUSAND DOLLARS (\$14,000.00); and

WHEREAS, in addition to the aforesaid compensation to the Village for the vacation of the right-of-way, the owner is willing to execute and record a perpetual covenant placing certain restrictions on the construction and location of any future residential building to be erected on owner's adjacent property.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1

The recitals set forth above are hereby incorporated in this ordinance.

SECTION 2

The Board of Trustees of the Village of Orland Park hereby vacates that parcel of land legally described as follows pursuant to Chapter 65 of the Illinois Compiled Statutes, Section 5/11-91-1.

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THAT PORTION OF LEMOYNE STREET LYING SOUTH OF 144TH STREET WEST OF THE WEST LINES OF LOTS 22 AND 23 IN RANEY'S ADDITION TO ORLAND BEING A SUBDIVISION OF THE NORTH 10 RODS OF THE EAST 32 RODS OF THE EAST ½ OF THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 9, TOWNSHIP 36 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

SECTION 3

Upon the vacation of the above-described right-of-way, title thereto shall pass to STATE BANK OF COUNTRYSIDE, not personally but as Trustee under Trust Agreement dated October 17, 1994, and known as Trust No. 94-1497, conditioned upon payment of \$14,000.00, plus all costs incurred by the Village in causing this vacation, and conditioned upon recording with the Cook County Recorder of Deeds a covenant to run with the land providing that a single-family residential structure erected on said owner's Lot 23 in Raney's Addition to Orland Park subdivision shall have a front yard setback of no less than fifteen (15) feet, a rear-yard setback of no less than eighteen (18) feet and a side-load driveway to the garage. The said perpetual covenant shall be in the form substantially as set forth in Exhibit "A" attached hereto.

SECTION 4

The Village shall cause a Plat of Vacation to be attached as Exhibit "B" to this ordinance, to be recorded at said owner's expense as required by statute.

SECTION 5

All ordinances or parts of ordinances in conflict therewith are to the extent of such conflict hereby repealed and that each section, paragraph, clause and provision of this ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 6

The Village reserves to itself, its agents and successors, an easement in said vacated right-of-way for public utility purposes.

