

VILLAGE OF ANTIOCH

22-06-35

AN ORDINANCE VACATING SAVAGE ROAD THROUGH THE CLUBLANDS, PHASE 1, PHASE 3 EAST and PHASE 3 EAST RESUBDIVISION

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES

OF THE

VILLAGE OF ANTIOCH, ILLINOIS

ON

JUNE 22, 2022

**Published in pamphlet form by authority of the Village Board
of the Village of Antioch, Lake County, Illinois,
this 22nd day of June, 2022**

SCOTT J. GARTNER	President	BRENT C. BLUTHARDT	Trustee
		PETRINA BURMAN	Trustee
LORI K. ROMINE	Clerk	MARY C. DOMINIAK	Trustee
		ED MACEK	Trustee
DEL GALDO LAW GROUP, LLC	Attorney	MARY J. PEDERSEN	Trustee
		SCOTT A. PIERCE	Trustee

22-06-35

**AN ORDINANCE VACATING SAVAGE ROAD THROUGH THE CLUBLANDS,
PHASE 1, PHASE 3 EAST and PHASE 3 EAST RESUBDIVISION**

WHEREAS, the Village of Antioch (the "Village") is an Illinois non-home rule municipality organized and operating under the Illinois Municipal Code (65 ILCS 5/1, et seq.) (the "Code"); and

WHEREAS, a section of Savage Road previously existed prior to the development of the Clublands Development by Neumann Homes, and a Final Plat of Subdivision was recorded over the subject right of way and the property was conveyed to individual homeowners.

WHEREAS, the owners of twenty six parcels of land, (collectively the "Owner"), all of whom are individuals or entities residing in Antioch, Illinois, own certain real property, as described in Exhibit A, located in the Village in and around the Clublands subdivision (collectively the "Property"); and

WHEREAS, the Property is located within the Village and was called Savage Road (the "Street"), as described in Exhibit A; and

WHEREAS, the Village has been working with the Lake County Recorder's Office to vacate the existing right-of-way that should have been vacated by Neumann Homes prior to the recording of the Final Plat of Subdivision.

WHEREAS, Section 11-91-1 of the Illinois Municipal Code, 65 ILCS 5/11-91-1, authorizes the corporate authorities of any municipality to vacate any street or alley, or part thereof, within their jurisdiction by passage of an ordinance upon determining that the public interest will be served by such vacation; and

WHEREAS, as required by Section 11-91-1 of the Illinois Municipal Code, 65 ILCS 5/11-91-1, the legal descriptions for those portions of the Street to be vacated herein are attached hereto as Exhibit A; and

WHEREAS, Owner acknowledges and agrees that the vacation of the Street will not impede the ingress or egress of any other neighboring property owner; and

WHEREAS, it is no longer in the public interest for the Village to own the right of way of a Street that does not exist and has been platted over with single-family lots.

WHEREAS, a Plat of Vacation has been prepared by H.R. Green Engineering vacating Savage Road, through Clublands of Antioch, Phase 1, Phase 3 East, and Phase 3 East Resubdivision, and will be recorded with the Lake County Records Office subject to approval of this ordinance.

WHEREAS, all site inspections, staff reports, reviews and preliminary approvals required to approve the vacation of the Street have, as applicable, been completed, approved or obtained; and

WHEREAS, the Village Board has therefore determined that the public interest will be served by vacating Savage Road, through the Clublands, Phase 1, Phase 3 East, and Phase 3 East Resubdivision.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Village Board of the Village of Antioch Lake County, Illinois, as follows:

Section 1: The foregoing recitals are hereby incorporated by reference and made a part hereof.

Section 2: The purpose of this Ordinance is to vacate Savage Road, through the Clublands, Phase 1, Phase 3 East, and Phase 3 East Resubdivision, and heretofore, not vacated.

Section 3: The designated portions of the Savage Road as described in Exhibit A, is hereby vacated.

Section 4: Pursuant to Section 11-91-1, *et seq.*, of the Illinois Municipal Code (65 ILCS 5/11-91-1 *et seq.*), title to the designated portions of the Street shall transfer to the existing homeowners and owners of outlots of Phase 1, Phase 3 East, and Phase 3 East Resubdivision, of the Clublands.

Section 5: In any event and notwithstanding anything to the contrary, approval of the Agreement and the vacation of the Street as contemplated herein shall not occur until the Easements set forth in the Agreement are reserved on the Plat of Vacation. Said Street vacation shall be effective upon the recording of the Plat of Vacation. Further, such easements shall be reserved to allow for the proper ingress and egress and access to local, county, and state rights of way Phase 1, Phase 2, and Phase 3 of the Clublands.

Section 6: The Village has approved the Plat of Vacation, substantially in the form attached hereto as Exhibit B, with such insertions, omissions and changes as shall be approved by the mayor or his designee and the Attorney.

Section 8: The City Clerk or her designee is hereby authorized and directed to file a true and correct copy of this Ordinance, together with the Agreement, in the Office of the Recorder of Deeds of Lake County, Illinois.

Section 9: The officers, employees and/or agents of the City shall take all action necessary or reasonably required to carry out, give effect to and consummate the transactions contemplated by this Ordinance and shall take all action necessary in conformity therewith including, without limitation, the execution and delivery of all

documents required to be delivered in connection with the vacation of the portions of the Street contemplated herein.

Section 10: The headings for the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

Section 11: The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

Section 12: All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

Section 13: A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

Section 14: This Ordinance shall be in full force and effect upon its passage, approval and publication as required by law.

SO ORDAINED this 22nd day of June, 2022 at Antioch, Lake County, Illinois.

AYES: 5: Pierce, Macek, Pedersen, Bluthardt and Burman.


NAYS: 0.

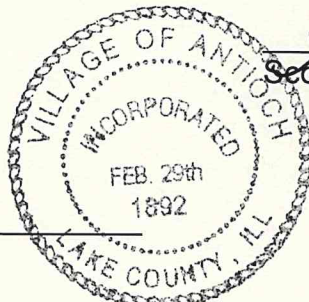
ABSENT: 1: Dominiak.

ABSTAIN: 0.

VILLAGE OF ANTIOCH

Attest


Lori K. Romine, City Clerk




Scott J. Gartner, Mayor

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

CERTIFICATE

I, Lori K. Romine, certify that I am the duly appointed Municipal Clerk of the Village of Antioch, Lake County, Illinois.

I certify that on June 22, 2022, the Corporate Authorities of such municipality passed and approved Ordinance No. 22-06-35 entitled "AN ORDINANCE VACATING SAVAGE ROAD THROUGH THE CLUBLANDS, PHASE 1, PHASE 3 EAST, and PHASE 3 EAST RESUBDIVISION " which provided by its terms that it should be published in pamphlet form.

The pamphlet form of **Ordinance No. 22-06-35** including the Ordinance and cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on June 22, 2022 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

DATED at Antioch, Illinois, this 22nd day of June 2022.



Lori K. Romine, RMC/CMC
Village Clerk



EXHIBIT A