

# Request For Board Action

**REFERRED TO BOARD:** June 22, 2022

**AGENDA ITEM NO:** 5

**ORIGINATING DEPARTMENT:** Community Development

**SUBJECT:** Consideration of an Ordinance vacating Savage Road, through Clublands, Phase 1, Phase 3 East and Phase 3 East Resubdivision.

## **SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

### **Background**

As the Village Board will recall, in January, a public hearing was held for the vacation of "White Road" in the Clubland's development, based on the fact that this section of the roadway was never vacated and single-family lots were constructed over the former roadway. Staff is now seeking a vacation of a section of "Savage Road" which was never vacated. The existing "Savage Road" was realigned as part of the development of the Clubland's development. Because of the re-alignment and construction of a new roadway, a section of previous right-of-way for "Savage Road" remains and single-family homes were constructed over this right-of-way.

Staff has been working with the Lake County Recorder's Office on a house keeping matter related to the Clubland's development. Lake County has requested that the Village formally proceed with a vacation of this existing right of way for "Savage Road", which will allow the tax parcel map to only reflect the existing single-family lots that were platted as part of the final plat for these phases of the Clubland development. The vacation of "Savage Road" will not have any impact on the homeowners or their fee simple ownership of their existing single-family home lots.

Based on this request and in accordance with state statute, a Public Hearing is being held for the proposed vacating of "Savage Road", in the Clublands, Phase 1, Phase 3 East, and Phase 3 East Subdivision.

### **Financial Impact**

None

### **Documents Attached**

- 1) Ordinance
- 2) Plat of Vacation

In accordance with the above analysis, Staff would make the following recommendations:

### **Recommendations**

***We move that the Village Board approve the herewith attached Ordinance vacating "Savage Road" in the Clubland Development for Phase 1, Phase 3 East and Phase 3 East Resubdivision.***

VILLAGE OF ANTIOCH

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22-01-05

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

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ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES

OF THE

VILLAGE OF ANTIOCH, ILLINOIS

ON

JUNE 22, 2022

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

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

**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 Recorders 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:  
NAYS:  
ABSENT:  
ABSTAIN:

VILLAGE OF ANTIOCH

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Scott J. Gartner, Mayor

Attest

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Lori K. Romine, City Clerk

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-\_\_\_\_\_, 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-\_\_\_\_\_, 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.

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Lori K. Romine, RMC/CMC  
Village Clerk

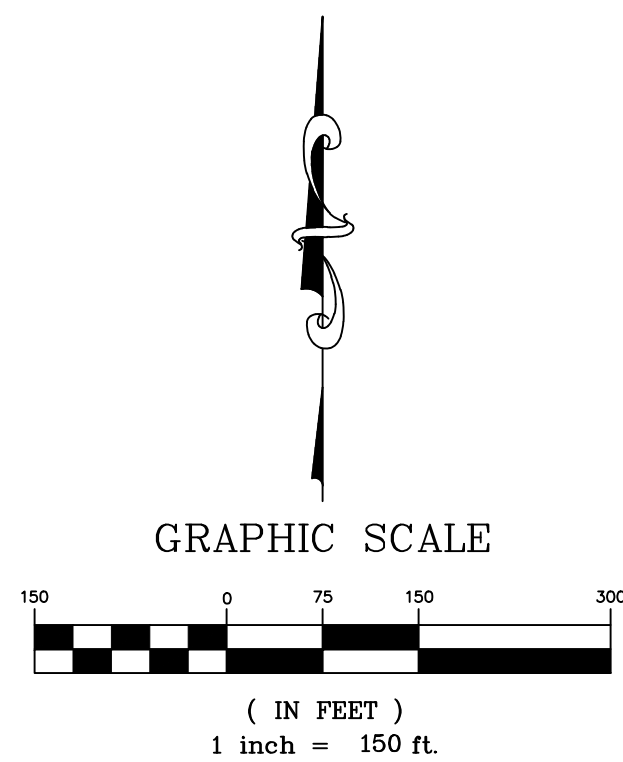
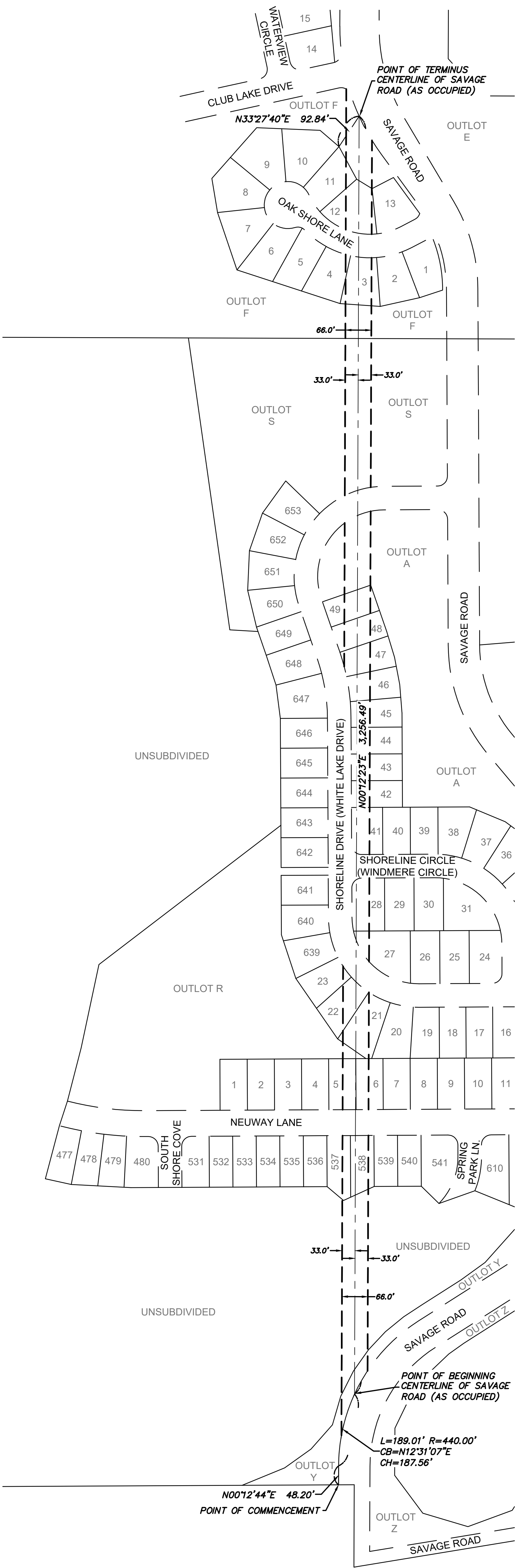
**EXHIBIT A**



# PLAT OF VACATION

## OF SAVAGE ROAD THROUGH CLUBLANDS OF ANTIOCH, PHASE 1, PHASE 3 EAST & PHASE 3 EAST RESUBDIVISION

| LOT #        | P.I.N.        |
|--------------|---------------|
| OUTLOT F     | 02-23-104-001 |
| LOT 11       | 02-23-104-004 |
| LOT 12       | 02-23-104-005 |
| LOT 4        | 02-23-104-011 |
| LOT 3        | 02-23-104-012 |
| OUTLOT S     | 02-23-104-015 |
| OUTLOT A     | 02-23-106-016 |
| LOT 49       | 02-23-106-017 |
| LOT 48       | 02-23-106-018 |
| LOT 47       | 02-23-106-019 |
| LOT 46       | 02-23-106-020 |
| LOT 45       | 02-23-106-021 |
| LOT 44       | 02-23-106-022 |
| LOT 43       | 02-23-106-023 |
| LOT 42       | 02-23-106-024 |
| LOT 41       | 02-23-106-025 |
| LOT 28       | 02-23-302-009 |
| LOT 27       | 02-23-302-013 |
| LOT 23       | 02-23-301-033 |
| LOT 22       | 02-23-301-056 |
| LOT 21       | 02-23-301-035 |
| OUTLOT R     | 02-23-301-002 |
| LOT 5        | 02-23-301-047 |
| LOT 6        | 02-23-301-048 |
| LOT 537      | 02-23-306-007 |
| LOT 538      | 02-23-306-008 |
| UNSUBDIVIDED | 02-23-300-012 |
| OUTLOT Y     | 02-23-307-004 |



**LEGAL DESCRIPTION OF SAVAGE ROAD VACATION**

PART OF THE NORTHWEST AND SOUTHWEST QUARTERS OF SECTION 23, TOWNSHIP 46 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN ANTIOCH TOWNSHIP, LAKE COUNTY ILLINOIS, BEING PORTIONS OF LOTS 3, 4, 11, 12 AND OUTLOT F IN CLUBLANDS OF ANTIOCH - PHASE 1, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 07, 2002 AS DOCUMENT 5178886, ALSO LOTS 537, 538, OUTLOT R, OUTLOT S AND OUTLOT Y IN CLUBLANDS OF ANTIOCH - PHASE 3 EAST, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 3, 2005 AS DOCUMENT 5710108, ALSO LOTS 5, 6, 21, 22, 23, 27, 28, 41 THROUGH 49 AND OUTLOT A IN CLUBLANDS OF ANTIOCH - PHASE 3 EAST RESUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 19, 2006 AS DOCUMENT 6076899, TOGETHER WITH THAT PART OF THE SOUTHWEST QUARTER OF SECTION 23 LYING NORTHERLY OF OUTLOT Y AND SOUTHERLY OF LOTS 537 & 538 IN SAID CLUBLANDS OF ANTIOCH - PHASE 3 EAST, LYING 33 FEET ON EITHER SIDE OF THE CENTERLINE OF SAVAGE ROAD (AS OCCUPIED), SAID CENTERLINE BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF OUTLOT Y IN SAID CLUBLANDS OF ANTIOCH - PHASE 3 EAST; THENCE NORTH 00 DEGREES 12 MINUTES 44 SECONDS EAST ALONG THE EAST LINE OF SAID OUTLOT Y, 48.20 FEET TO A POINT OF CURVATURE; THENCE CONTINUING ALONG SAID EAST LINE, BEING A CURVE TO THE RIGHT HAVING A RADIUS OF 440.00 FEET, A CHORD BEARING OF NORTH 12 DEGREES 31 MINUTES 07 SECONDS EAST AND A CHORD LENGTH OF 187.56 FEET FOR AN ARC LENGTH OF 189.01 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 12 MINUTES 23 SECONDS EAST, 3,256.49 FEET TO THE EASTERLY LINE OF OUTLOT F IN SAID CLUBLANDS OF ANTIOCH - PHASE 1 AND A POINT OF TERMINUS OF SAID CENTERLINE, SAID POINT OF TERMINUS BEING NORTH 33 DEGREES 27 MINUTES 40 SECONDS EAST FROM THE NORTHWEST CORNER OF LOT 11 IN SAID CLUBLANDS OF ANTIOCH - PHASE 1, IN ANTIOCH TOWNSHIP, LAKE COUNTY, ILLINOIS.

**VILLAGE BOARD CERTIFICATION**

STATE OF ILLINOIS )  
 ) S.S.  
COUNTIES OF LAKE )

APPROVED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF ANTIOCH, LAKE COUNTY, ILLINOIS A MEETING HELD THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_

\_\_\_\_\_  
MAYOR  
  
\_\_\_\_\_  
VILLAGE CLERK

**COUNTY CLERK'S CERTIFICATION**

STATE OF ILLINOIS )  
 ) S.S.  
COUNTY OF LAKE )

I, \_\_\_\_\_ COUNTY CLERK OF LAKE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, UNPAID CURRENT SPECIAL ASSESSMENTS OR UNPAID CURRENT SPECIAL ASSESSMENTS AGAINST ANY OF THE LAND INCLUDED IN THE DESCRIBED PROPERTY. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE PLAT.

GIVEN UNDER MY NAME AND SEAL OF THE COUNTY CLERK OF LAKE COUNTY, ILLINOIS, THIS \_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_.

\_\_\_\_\_  
LAKE COUNTY CLERK

**COUNTY RECORDER'S CERTIFICATION**

STATE OF ILLINOIS )  
 ) S.S.  
COUNTY OF LAKE )

THIS INSTRUMENT NO. \_\_\_\_\_ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF LAKE COUNTY, ILLINOIS ON THE \_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_, AT \_\_\_\_\_ O' CLOCK \_\_\_\_M.

\_\_\_\_\_  
LAKE COUNTY RECORDER OF DEEDS

**SURVEYOR'S CERTIFICATION**

STATE OF ILLINOIS )  
 ) S.S.  
COUNTY OF KANE )

I, JOHN S. BOLINE, ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER 3756, DO HEREBY CERTIFY THAT THE PLAT OF VACATION DRAWN AND DESCRIBED HEREON, WAS PREPARED USING PREVIOUS SURVEY INFORMATION AND MAPS, PLATS AND OTHER INSTRUMENTS OF RECORD FOR THE USES AND PURPOSES HEREIN SET FORTH, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED AT MCHENRY, MCHENRY COUNTY, ILLINOIS  
MAY 25TH, A.D. 2022.

DRAFT

JOHN S. BOLINE (jboline@hrgreen.com)  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3756  
LICENSE EXPIRATION DATE: 11/30/2022

**NOTES:**  
\* This map was created for use as PLAT OF VACATION.  
\* This map is not to be used for any construction or staking purposes without consent from a proper agent of HR Green, Inc.  
\* This IS NOT a Plat of Survey. No assumptions or agreements as to ownership, use, or possession can be conveyed from this document.  
\* No underground improvements have been located unless shown and noted.  
\* No distance should be assumed by scaling.  
\* This map is void without original embossed or red colored seal and signature affixed.

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**AERIAL PHOTOGRAPHY NOTE**

CENTERLINE OF SAVAGE ROAD (AS OCCUPIED) IS SHOWN AND DESCRIBED HEREON AS REESTABLISHED FROM SPRING 2002 ORTHOPHOGRAPHY OF LAKE COUNTY, IL, OBTAINED FROM LAKE COUNTY, ILLINOIS DEPARTMENT OF INFORMATION AND TECHNOLOGY, GIS DIVISION, BEARING A PUBLICATION DATE OF 12/29/2003.

PLAT SUBMITTED BY/RETURN TO:  
VILLAGE OF ANTIOCH  
VILLAGE HALL  
874 MAIN STREET  
ANTIOCH, IL60002

DRAWN BY: JB  
APPROVED: MD  
JOB DATE: 05/25/2022  
JOB NO: 211509.01

BAR IS ONE INCH ON OFFICIAL DRAWINGS  
IF NOT ONE INCH, ADJUST SCALE ACCORDINGLY

Illinois Professional Design Firm # 184-001322  
1391 Corporate Drive, Suite 203  
McHenry, IL60050-7040  
t. 815.385.1778 f. 815.385.1781  
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**PLAT OF VACATION**  
OF SAVAGE ROAD THROUGH CLUBLANDS OF ANTIOCH,  
PHASE 1, PHASE 3 EAST & PHASE 3 EAST RESUBDIVISION

| NO. | DATE | BY | REVISION DESCRIPTION |
|-----|------|----|----------------------|
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SHEET  
1 OF 1