

ORDINANCE 2022-31

ORDINANCE GRANTING AND ACCEPTING A PLAT OF TEMPORARY EASEMENT DEDICATION FOR CERTAIN PROPERTY LOCATED AT 7300 MELVINA

Dated: This 24th day of May, 2022.

**Published in Pamphlet Form by Authority
of the
President and Board of Trustees
Village of Niles**

ORDINANCE 2022-31

ORDINANCE GRANTING AND ACCEPTING A PLAT OF TEMPORARY EASEMENT DEDICATION FOR CERTAIN PROPERTY LOCATED AT 7300 MELVINA

WHEREAS, the Village President and Board of Trustees (hereinafter collectively referred to as the “Village Board”) of the Village of Niles, Cook County, Illinois (hereinafter the “Village”), find that the Village is a home rule municipal corporation as provided in Article VII, Section 6 of the 1970 Constitution of the State of Illinois and pursuant to said constitutional authority, may exercise and perform any function pertaining to its governmental affairs; and

WHEREAS, The Village approved certain Melvina Avenue improvements, including trenchless water main construction for the roadway crossings; and

WHEREAS, to construct the roadway improvements, an additional temporary easement is required for the boring pits to cross the roadway; and

WHEREAS, the subject dedication of temporary easement along the former Grainger parcel will address this construction issue; and

WHEREAS, the trenchless construction will also mitigate traffic impacts to Melvina Avenue; and

WHEREAS, the President and Board of Trustees have determined that the temporary easement will serve and be in the best interest of the Village.

NOW, THEREFORE, BE IT ORDAINED, by the President and the Board of Trustees of the Village of Niles, Cook County, Illinois, as follows:

SECTION 1: The Plat of Easement for certain property located at 7300 Melvina as further described and situated in the Village of Niles, Cook County, Illinois, be the same hereby accepted and attached as Exhibit “A”, hereto and incorporated herein by reference:

Legal Description of Easement Area

THE EAST 40.00 FEET (EXCEPT THE EAST 15.00 FEET THEREOF) OF LOTS 1 THROUGH 5 IN KROWKA'S SUBDIVISION OF THE SOUTH 5 CHAINS OF THE NORTH 24 CHAINS OF THE WEST HALF OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 29, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED MAY 16, 1941 AS DOCUMENT NUMBER 12682488 AND ALSO,

THE EAST 40.00 FEET (EXCEPT THE EAST 15.00 FEET THEREOF) OF LOT 5 IN TOUHY AVENUE INDUSTRIAL SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 29, TOWNSHIP 41 NORTH, RANGE 13, EAST OF

THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 3, 1965 IN BOOK 688 OF PLATS, PAGE 11, AS DOCUMENT NO. 19483324, ALL IN COOK COUNTY, ILLINOIS.

Real Property Address: 7300 Melvina, Niles, Illinois, 60714

Tax Parcel Numbers: 10-29-302-019, 10-29-302-047, 10-225-307-009

SECTION 2: The Village shall hereby file a certified copy of the Ordinance and Plat of Easement with the Recorder of Deeds of Cook County, Illinois.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any such conflict.

SECTION 5: That any section or provision of this ordinance that is construed to be invalid or void shall not affect the remaining sections or provisions which shall remain in full force and effect thereafter.

PASSED: This 24th day of May, 2022
YEAS: 4 Jekot, Matyas, Niedermaier, Strzelecki
NAYS: 0
ABSENT: 1 LoVerde
ABSTAIN: 0

APPROVED by me this 24th day of May, 2022.



President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this 24th day of May, 2022, and published in pamphlet form as provided by law in the Village of Niles, Illinois.



Village Clerk

thomas.
ENGINEERING GROUP
services at the highest price.

thomas engineering group, llc
2625 butterfield road
suite 200
oak brook, il 60523
phone: 555-533-1700

PLAT OF TEMPORARY EASEMENT TO THE VILLAGE OF NILES

PARENT PARCEL LEGAL DESCRIPTION

PARCEL 1:
LOT 5 IN TOLU AVENUE INDUSTRIAL SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 29, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 3, 1985 IN BOOK 688 OF PLATS, PAGE 11, AS DOCUMENT NO. 1948324, IN COOK COUNTY, ILLINOIS.

PARCEL 2:
THAT PART OF LOTS 1, 2, 3, 4 AND 5 IN KROWKA'S SUBDIVISION OF THE SOUTH 5 CHAINS OF THE NORTH 24 CHAINS OF THE WEST HALF OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 29, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1, THENCE WESTERLY ALONG SAID NORTH LINE A DISTANCE OF 359.23 FEET; THENCE SOUTHEASTERLY ALONG A STRAIGHT LINE TO A POINT ON THE SOUTH LINE OF SAID LOT 5, SAID POINT BEING 180 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 5; THENCE EAST ALONG SAID SOUTH LINE A DISTANCE OF 180.0 FEET TO THE SOUTHEAST CORNER OF SAID LOT 5, THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOTS TO THE POINT OF BEGINNING (EXCEPTING FROM SAID DESCRIBED PROPERTY THE NORTH 75.0 FEET THEREOF), ALL IN COOK COUNTY, ILLINOIS.

PARCEL 3:
THAT PART OF LOTS 1, 2, 3, 4 AND 5 IN KROWKA'S SUBDIVISION OF THE SOUTH 5 CHAINS OF THE NORTH 24 CHAINS OF THE WEST HALF OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 29, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF SAID LOT 1, 359.23 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT 1, RUNNING THENCE SOUTHEASTERLY ALONG A STRAIGHT LINE TO A POINT ON THE SOUTH LINE OF SAID LOT 5, 180 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 5; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 5 A DISTANCE OF 116.21 FEET; THENCE NORTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 59 DEGREES 22 MINUTES FROM THE WEST (SOUTH LINE OF LOT 5) TO THE NORTHWEST, A DISTANCE OF 321.34 FEET MORE OR LESS TO A POINT ON THE SOUTHEASTERLY LINE OF GROSS POINT ROAD 100 FEET SOUTHWESTERLY OF THE PLACE OF BEGINNING, THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF GROSS POINT ROAD A DISTANCE OF 100 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 4:
THAT PART OF LOTS 1, 2, 3, 4 AND 5 IN KROWKA'S SUBDIVISION OF THE SOUTH 5 CHAINS OF THE NORTH 24 CHAINS OF THE WEST HALF OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 29, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF GROSS POINT ROAD 100 FEET SOUTHWESTERLY OF THE INTERSECTION OF THE SOUTHEASTERLY LINE OF GROSS POINT ROAD AND THE NORTH LINE OF SAID LOT 1, RUNNING THENCE SOUTHEASTERLY ALONG A STRAIGHT LINE TO A POINT ON THE SOUTH LINE OF SAID LOT 5, 180 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 5; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 5, A DISTANCE OF 116.21 FEET; THENCE NORTHWESTERLY ALONG A STRAIGHT LINE WHICH FORMS AN ANGLE OF 59 DEGREES 22 MINUTES FROM THE WEST (SOUTH LINE OF LOT 5) TO THE NORTHWEST, A DISTANCE OF 321.34 FEET MORE OR LESS TO A POINT ON THE SOUTHEASTERLY LINE OF GROSS POINT ROAD 100 FEET SOUTHWESTERLY OF THE INTERSECTION OF THE SOUTHEASTERLY LINE OF GROSS POINT ROAD AND THE NORTH LINE OF SAID LOT 1, THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF GROSS POINT ROAD A DISTANCE OF 100 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 5:
THAT PART OF LOTS 2, 3, 4 AND 5 IN KROWKA'S SUBDIVISION OF THE SOUTH 5 CHAINS OF THE NORTH 24 CHAINS OF THE WEST HALF OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 29, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING ON THE SOUTHEASTERLY LINE OF GROSS POINT ROAD, 200.0 FEET SOUTHWESTERLY OF THE INTERSECTION OF THE SOUTHEASTERLY LINE OF GROSS POINT ROAD AND THE NORTH LINE OF LOT 1 OF SAID KROWKA'S SUBDIVISION; RUNNING THENCE SOUTHEASTERLY ALONG A STRAIGHT LINE TO A POINT ON THE SOUTH LINE OF SAID LOT 5, 302.42 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 5; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 5, A DISTANCE OF 116.21 FEET; THENCE NORTHWESTERLY ALONG A STRAIGHT LINE WHICH FORMS AN ANGLE OF 59 DEGREES 22 MINUTES FROM THE WEST (SOUTH LINE OF LOT 5) TO THE NORTHWEST, A DISTANCE OF 321.34 FEET MORE OR LESS TO A POINT ON THE SOUTHEASTERLY LINE OF GROSS POINT ROAD, 300.0 FEET SOUTHWESTERLY OF THE INTERSECTION OF THE SOUTHEASTERLY LINE OF GROSS POINT ROAD AND THE NORTH LINE OF SAID LOT 1; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF GROSS POINT ROAD, A DISTANCE OF 100.0 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 6:
THAT PART OF THE NORTH 75 FEET OF LOT 1 IN KROWKA'S SUBDIVISION OF THE SOUTH 5 CHAINS OF THE NORTH 24 CHAINS OF THE WEST HALF OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 29, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF A LINE DESCRIBED AS FOLLOWS: BEGINNING ON THE NORTH LINE OF LOT 1, 359.23 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT 1, RUNNING THENCE SOUTHEASTERLY ALONG A STRAIGHT LINE TO A POINT ON THE SOUTH LINE OF LOT 5 OF AFORESAID SUBDIVISION 180 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 5 IN COOK COUNTY, ILLINOIS.

EASEMENT LEGAL DESCRIPTION

THE EAST 40.00 FEET (EXCEPT THE EAST 15.00 FEET THEREOF) OF LOTS 1 THROUGH 5 IN KROWKA'S SUBDIVISION OF THE SOUTH 5 CHAINS OF THE NORTH 24 CHAINS OF THE WEST HALF OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 29, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED MAY 16, 1941 AS DOCUMENT NUMBER 12682488 AND ALSO, THE EAST 40.00 FEET (EXCEPT THE EAST 15.00 FEET THEREOF) OF LOT 5 IN TOLU AVENUE INDUSTRIAL SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 29, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 3, 1985 IN BOOK 688 OF PLATS, PAGE 11, AS DOCUMENT NO. 1948324, ALL IN COOK COUNTY, ILLINOIS.

THIS PLAT IS TO BE RECORDED BY THE VILLAGE OF NILES, ILLINOIS FOR THE UNDERSIGNED, UPON RECORDEMENT RETURN THIS PLAT TO:

VILLAGE OF NILES, VILLAGE ENGINEER
6840 W. TOLU AVENUE
NILES, ILLINOIS 60714

P.I.N.:

10-29-302-019
10-29-302-047
10-29-307-009
10-29-307-010

TOTAL HOLDINGS AREA: 6.700 ACRES
EASEMENT AREA: 16,645 SQ. FT. (0.382 AC)

SITE ADDRESS:
7300 MELVINA AVE
NILES, IL 60714

PREPARED FOR:
VILLAGE OF NILES
1000 CIVIC CENTER DR.
NILES, IL 60714

TEMPORARY EASEMENT PROVISIONS:

THE RIGHT, EASEMENT AND PRIVILEGE GRANTED HEREIN SHALL TERMINATE 8 YEARS FROM THE EXECUTION OF THIS DOCUMENT, OR ON THE COMPLETION OF THE PROPOSED PROJECT, WHICHEVER IS THE SOONER.
GRANTOR SHALL HAVE AND RETAIN ALL RIGHTS TO USE AND OCCUPY THE PREMISES AND ACCESS TO GRANTOR'S REMAINING PROPERTY, EXCEPT AS HEREIN EXPRESSLY GRANTED; PROVIDED, HOWEVER, THAT GRANTORS USE AND OCCUPATION OF THE PREMISES MAY NOT INTERFERE WITH GRANTOR'S USE OF THE PREMISES FOR THE PURPOSES HEREIN DESCRIBED.
GRANTOR, WITHOUT LIMITING THE INTEREST ABOVE GRANTED AND CONVEYED, ACKNOWLEDGES THAT UPON PAYMENT OF THE AGREED CONSIDERATION, ALL CLAIMS ARISING OUT OF THE ABOVE ACQUISITION HAVE BEEN SETTLED, INCLUDING WITHOUT LIMITATION, ANY DIMINUTION IN VALUE TO ANY REMAINING PROPERTY OF THE GRANTOR CAUSED BY THE OPENING, IMPROVING AND USING THE PREMISES FOR HIGHWAY PURPOSES. THIS ACKNOWLEDGMENT DOES NOT WAIVE ANY CLAIM FOR TRESPASS OR NEGLIGENCE AGAINST THE GRANTEE OR GRANTEE'S AGENTS WHICH MAY CAUSE DAMAGE TO THE GRANTOR'S REMAINING PROPERTY. THIS GRANT SHALL CONSTITUTE A COVENANT, WHICH RUNS WITH THE LAND, AND SHALL BE BINDING UPON THE LEGAL REPRESENTATIVES, SUCCESSORS AND ASSIGNS OF GRANTORS.



NOTE: BASIS OF BEARINGS ON THIS PLAT IS GRID NORTH BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD83 (2011 ADJ)

0 25 50 100

HORIZONTAL SCALE IN FEET

SCALE: 1" = 50'

OWNER'S CERTIFICATE - EASEMENT GRANTING (MUNICIPAL CORPORATION)

STATE OF ILLINOIS)
COUNTY OF COOK) SS

THIS IS TO CERTIFY THAT THE VILLAGE OF NILES, AN ILLINOIS MUNICIPAL CORPORATION, IS THE RECORD OF OWNER OF THE PROPERTY DESCRIBED HEREON, AND DOES HEREBY CONSENT TO THE GRANTING OF SAID PROPERTY, AND THE VARIOUS DEDICATIONS, GRANTS AND RESERVATIONS OF EASEMENT AND RIGHTS-OF-WAY DEPICTED HEREON.

DATED THIS _____ DAY OF _____, A.D. 20____.

SIGNATURE _____

PLEASE TYPE/PRINT THE AUTHORIZED INDIVIDUAL'S NAME AND TITLE _____

NOTARY CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK) SS

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE AFORESAID COUNTY AND STATE, DO HEREBY CERTIFY THAT THE FOREGOING SIGNATORY OF THE OWNER'S CERTIFICATE IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND THAT SAID INDIVIDUAL APPEARED AND DELIVERED SAID INSTRUMENT AS A FREE AND VOLUNTARY ACT OF THE MUNICIPALITY AND THAT SAID INDIVIDUAL DID ALSO THEN AND THERE acknowledge THAT HE OR SHE IS A CUSTODIAN OF THE MUNICIPAL SEAL OF SAID MUNICIPALITY AND DID AFFIX SAID SEAL OF SAID MUNICIPALITY TO SAID INSTRUMENT AS HIS OR HER OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID MUNICIPALITY, AS OWNER, FOR THE USES AND PURPOSES THEREIN SET FORTH IN THE AFORESAID INSTRUMENT.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, A.D. 20____.

NOTARY _____

PLEASE TYPE/PRINT NAME _____

VILLAGE ROAD CERTIFICATE - GRANT OF EASEMENT

STATE OF ILLINOIS)
COUNTY OF COOK) SS

APPROVED THIS _____ DAY OF _____, A.D. 20____, BY _____, THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF NILES, PURSUANT TO ORDINANCE/RESOLUTION NUMBER _____.

BY _____

VILLAGE PRESIDENT

ATTEST: _____

VILLAGE CLERK

VILLAGE ENGINEER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK) SS

I, THE UNDERSIGNED, AS VILLAGE ENGINEER OF THE VILLAGE OF NILES, COOK COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THIS DOCUMENT IS APPROVED UNDER MY OFFICES THIS DAY OF _____, A.D. 20____.

VILLAGE ENGINEER _____

(PLEASE TYPE / PRINT NAME)

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS

WE, THOMAS ENGINEERING GROUP, LLC DO HEREBY CERTIFY THAT WE PREPARED THIS PLAT OF EASEMENT AND THAT IT IS A TRUE AND CORRECT REPRESENTATION OF SAME BASED ON OFFICIAL PLATS AND RECORDS. DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.

DATED THIS 2ND DAY OF MAY, 2022.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-00817
LICENSE EXPIRES: NOVEMBER 30, 2022

ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-005183



SHEET 1 OF 1

REVISIONS

NO.	DATE	DESCRIPTION
1	04-29-22	PRELIMINARY PLAT SUBMITTAL
2	05-02-22	REVISE CERTIFICATIONS