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**VILLAGE OF MELROSE PARK
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 995

**AN ORDINANCE VACATING A CERTAIN PORTION OF A
STREET LOCATED AT 43RD STREET AND LAKE STREET, FOR
THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE
OF ILLINOIS.**

**ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF MELROSE PARK**

THIS 24TH DAY OF JULY 2006

**RONALD M. SERPICO, Village President
MARY ANN PAOLANTONIO SALEMI, Village Clerk**

Board Of Trustees

**JOHN S. CONTEDEUCA
CATHLEEN COSSIDENT ITALIA
THOMAS KLEIN
RUBEN LOMELI
ARTURO J. MOTA
ANTHONY J. PRIGNANO**

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**Published by authority of the
President and Board of Trustees
Of the Village of Melrose Park,
Cook County, Illinois on
This 25TH day of JULY 2006**

ORDINANCE NO. 995

**AN ORDINANCE VACATING A CERTAIN PORTION OF A STREET
LOCATED AT 43RD STREET AND LAKE STREET, FOR THE VILLAGE
OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.**

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WHEREAS, the Village of Melrose Park, Cook County, State of Illinois (the "Village"), is a duly organized and existing village created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto with full powers to enact ordinances for the benefit of the residents of the Village; and

WHEREAS, the Village President, the Honorable Ronald M. Serpico, the Village Clerk, the Honorable Mary Ann Paolantonio Salemi, having taken office on May 2, 2005 and the Village Board of Trustees, the Honorable John S. Conteduca, Cathleen Cossident Italia, Tom "T.K." Klein, Ruben Lomeli, Trustee Arturo J. Mota and Anthony J. Prignano, having taken office on May 2, 2005, constitute the duly elected, qualified and acting officials of the Village; and

WHEREAS, the President and Board of Trustees of the Village have determined that vacating a portion of the street located at 43rd Street and Lake Street, as further described in the attached Plat of Vacation, attached hereto as Exhibit A, will serve to relieve the public from the further burden and responsibility of maintaining that portion of said street; and

WHEREAS, the President and the Board of Trustees of the Village have determined that the public interest will be served by vacating a portion of the street located at 43rd Street and Lake Street in the Village; and

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

**ARTICLE I
IN GENERAL**

Section 01. Incorporation Clause.

The President and Board of Trustees of the Village (the "Village Board") hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and does hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

Section 02. Purpose.

The purpose of this Ordinance is to vacate that portion of a street located at 43rd Street and Lake Street, with approximate lot dimensions of 103'x 33'x 102', as more fully set forth and described on the Plat of Vacation, attached hereto as Exhibit A and incorporated herein, by this reference.

Section 03. Invocation of Authority.

This Ordinance is enacted pursuant to the authority granted to this Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

Section 04. State Law Adopted.

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

Section 05-09. Reserved.

**ARTICLE II
LEGAL DESCRIPTION**

Section 10.00. Vacation of Street.

The right-of-way being legally described as:

THE WEST HALF OF THAT CERTAIN PARCEL OF LAND BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF LOT 65 IN MILLS AND SON'S MEADOWCREEK SUBDIVISION IN THE EAST ½ OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD

PRINCIPAL MERIDIAN; THENCE SOUTH 100.41 FEET ALONG THE WEST LINE OF SAID LOT 65; THENCE NORTHWESTERLY ALONG A CURVE WITH A RADIUS OF 3730.02 FEET TO A POINT ON THE EAST LINE OF LOT 168 IN MILLS AND SON'S MEADOWCREEK SUBDIVISION AFORESAID, LYING 7.57 FEET NORTH OF THE SOUTHEAST CORNER OF SAID LOT 168; THENCE NORTH 103.96 FEET TO THE NORTHEAST CORNER OF SAID LOT 168; THENCE SOUTHEASTERLY TO THE POINT OF COMMENCEMENT, ALL IN COOK COUNTY, ILLINOIS.

is hereby vacated. The portion of the public street herein vacated is designated "hereby vacated" on the Plat of Vacation prepared by Steven G. Morasan, an Illinois Professional Land Surveyor, of Homewood, Illinois, and dated 2006.

ARTICLE III AUTHORITY

Section 11.00. Authorization to Execute.

The Village President is hereby authorized and directed to execute the Plat of Vacation and any related exhibits attached thereto and the Village Clerk, if necessary, is hereby authorized and directed to attest and countersign the Plat of Vacation and/or any such document that may be required to effectuate the purpose of this Ordinance and to affix the seal of the Village to such document(s).

Section 12.00. Authorization to Record.

The Village Clerk of the Village of Melrose Park is hereby authorized and directed to file a true and correct copy of this Ordinance, together with the Plat of Vacation, in the Office of the Recorder of Deeds of Cook County, Illinois.

ARTICLE IV SAVINGS CLAUSES, PUBLICATION, EFFECTIVE DATE

Section 13.00. Headings.

The headings for the articles, sections, paragraphs, and sub-paragraphs 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 provisions of this Ordinance.

Section 14.00. Severability.

The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, sub-paragraph, section or part 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. It is hereby declared to be the legislative intent of the Corporate Authorities that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section, or part thereof been included.

Section 15.00. Superseder.

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

Section 16.00. Publication.

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.

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Section 17.00. Effective Date.

This Ordinance shall be in full force and effect upon passage, approval and publication, as provided by law.

On the Individual Poll And Voice Vote Of The Board Of Trustees:

AYE VOTES: Trustee Conteduca, Trustee Klein, Trustee Lomeli,
Trustee Mota, Trustee Prignano

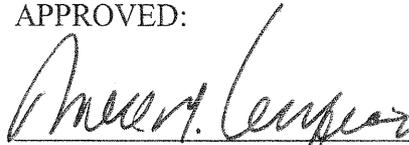
NAY VOTES:

ABSTAIN:

ABSENT: Trustee Italia

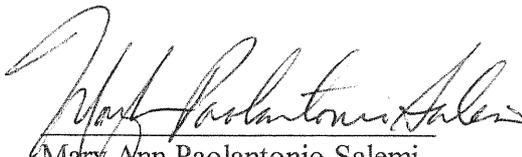
SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS TWENTY-FOURTH DAY OF JULY, 2006 A.D.

APPROVED:



RONALD M. SERPICO,
VILLAGE PRESIDENT

ATTEST:



Mary Ann Paolantonio Salemi
Village Clerk

Recorded in the Municipal Records: July 24, 2006
Published in pamphlet form: July 25, 2006