

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE VACATION OF RIGHT-OF-WAY OF PUBLIC STREETS
(Portion of Brandon Road)

WHEREAS, the Mayor and City Council hereby determine that the public interest will be subserved by the vacation of the public right of way described herein and public notice and hearing concerning the proposed vacation has been given and held in accordance with law.

WHEREAS, this Ordinance is adopted pursuant to Section 11-91-1 of the Illinois Municipal Code (65 ILCS 5/11-91-1 et seq.) and pursuant to the home rule powers of the City of Joliet;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF JOLIET, AS FOLLOWS:

SECTION 1: The public right of way described in Exhibit “A” is hereby vacated, subject to the reservation of a public utility and drainage easement in, under, over and along the real property described in Exhibit “B”. Title to the vacated right of way shall vest solely in the owners of record of the real property described in Exhibit “C”, and their successors and assigns.

SECTION 2: The City of Joliet makes no warranties or any other representations concerning the real property vacated by this ordinance, including, but not limited to, matters of title, habitability, suitability, environmental hazard, zoning or market value.

SECTION 3: This Ordinance shall be considered severable, and the invalidity of any section, clause, paragraph, sentence, or provision of the Ordinance shall not affect the validity of any other portion of this Ordinance.

SECTION 4: Upon passage of this Ordinance by the City of Joliet, this Ordinance shall be subject to review and approval by the Illinois Commerce Commission. The Ordinance shall be in effect upon approval from the Illinois Commerce Commission and approval according to law and upon its filing with the Recorder of Deeds.

PASSED this _____ day of _____, 2024

MAYOR

CITY CLERK

VOTING YES: _____

VOTING NO: _____

NOT VOTING: _____

PIN(s) of Property Receiving Title to Vacated Right of Way: 30-07-33-300-001-0000

VALUATION: N/A

EASEMENT RESERVED: YES

DATE OF PLAN COMMISSION APPROVAL: April 21, 2022

CED DOC. NO.: V-4-21

PLAT ATTACHED: YES

TRANSFEREES: CenterPoint Joliet Terminal Railroad, LLC, 1808 Swift Drive, Oak Brook, IL 60523-1501

PREPARED BY: James Torri, Planning Director, City of Joliet, 150 W. Jefferson St., Joliet, IL 60432

RETURN TO: City of Joliet, City Clerk's Office, 150 W. Jefferson St., Joliet, IL 60432

EXHIBIT "A"

PARCEL 1:

THAT PART OF THE BRANDON ROAD PUBLIC RIGHT-OF-WAY UNDERLYING LOT 53 - BLOCK 1 IN CENTERPOINT INTERMODAL CENTER AT JOLIET PHASE TWENTY-FOUR, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 35 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 35 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 10, 2021, AS DOCUMENT NUMBER R2021064443, IN WILL COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE BRANDON ROAD PUBLIC RIGHT-OF-WAY IN THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 35 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THAT PART THEREOF UNDERLYING LOT 23 - BLOCK 1 IN CENTERPOINT INTERMODAL CENTER AT JOLIET PHASE ELEVEN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 30, 2014, AS DOCUMENT NUMBER R2014111620), IN WILL COUNTY, ILLINOIS.

PARCEL 3:

THAT PART OF THE BRANDON ROAD PUBLIC RIGHT-OF-WAY IN THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 35 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THAT PART THEREOF UNDERLYING LOT 23 - BLOCK 1 IN CENTERPOINT INTERMODAL CENTER AT JOLIET PHASE ELEVEN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 30, 2014, AS DOCUMENT NUMBER R2014111620), LYING NORTH OF THE LANDS CONVEYED BY SPECIAL WARRANTY DEED, ACCORDING TO THE DOCUMENT RECORDED MAY 6, 2011, AS DOCUMENT NUMBER R2011044127, IN WILL COUNTY, ILLINOIS.

AFFECTING PIN 07-32-200-003, 07-32-200-008, 07-32-200-012, 07-32-200-016, 07-32-200-018, 07-32-400-004, 07-32-400-006, 07-32-400-012, 07-32-400-013, 07-33-100-003, 07-33-100-006, 07-33-100-010, 07-33-300-001, 07-33-300-008

EXHIBIT "B"

Easement Parcel:

THE EAST 15.00 FEET OF THE WEST 40.00 FEET OF THE NORTHWEST QUARTER OF SECTION 33 IN TOWNSHIP 35 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THE SOUTH 200 FEET THEREOF AND ALSO EXPECTING THEREFROM LOT 23 - BLOCK 1 IN CENTERPOINT INTERMODAL CENTER AT JOLIET PHASE ELEVEN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 30, 2021, AS DOCUMENT NUMBER R2014111620, IN WILL COUNTY, ILLINOIS.

EXHIBIT "C"

CenterPoint Joliet Terminal Railroad, LLC, 1808 Swift Drive, Oak Brook, IL 60523-1501