

**DATE:** June 29, 2022  
**TO:** Committee of the Whole-CD  
**FROM:** Scott Buening, Community and Economic Development Director  
**SUBJECT:** Resolution 22-071-R—Accepting a Plat of Dedication of Morton Street

**Summary:** Resolution Accepting a Plat of Dedication of Morton Street.

**Background:** In 2002 the City entered into an annexation agreement for the property located at 1140 Morton Street. One of the provisions in this agreement was for the property owner to dedicate the northern 40 feet of the property for Morton Street right-of-way. Staff has followed up on this with the current property owner, and they have agreed to dedicate this land. They have signed a plat of dedication that after acceptance by the City Council and recording, would reserve this area and public right-of-way. Staff recommends approval of the Resolution accepting the accepting the plat of dedication.

**Alternatives:**

- Pass the Resolution and accept the plat of dedication
- Do not pass the Resolution and do not accept the plat of dedication

**Budget Impact-** The plat and recording of same will cost around \$875.00.

**Staffing Impact-** No staffing impact.

**Timeline for actions:** There is no specific timeline for action, however the plat has been prepared and signed and can be recorded once approved.

**Staff recommendation:** Staff recommends the Committee approve of Resolution 22-071-R—Accepting a Plat of Dedication of Morton Street.

**Attachments:**

1. Resolution 22-071-R—Accepting a Plat Dedication of Morton Street.
2. Plat of Dedication.
3. Area Map.

**Cc:** Mayor & City Council  
File

**CITY OF BATAVIA, ILLINOIS  
RESOLUTION 22-071-R**

**RESOLUTION ACCEPTING A PLAT OF DEDICATION OF MORTON STREET AS  
PUBLIC RIGHT-OF-WAY**

**WHEREAS,** The City has received a Plat of Dedication for part of Morton Street, the parcel being identified as part of PIN 12-21-479-002; and

**WHEREAS,** the owners, Todd and Janis Martin, have signed the plat of dedication authorizing the dedication of this parcel as public right-of-way for roadway purposes as shown on the Plat of Dedication; and

**WHEREAS,** the dedication will allow the continued usage of the area as public right-of-way and for public utilities and drainage;

**NOW THEREFORE,** BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATAVIA, KANE COUNTY AND DUPAGE COUNTY, ILLINOIS, as follows:

**SECTION 1:** The recitals set forth above are incorporated as if fully stated herein as a material term of this Resolution.

**SECTION 2:** The Mayor and City Council hereby accept the dedication of the right-of-way as depicted on the Plat of Dedication attached as Exhibit "A".

**SECTION 3:** The Plat of Dedication of the property in the form attached as Exhibit "A" is hereby approved and accepted.

**SECTION 4:** The Mayor and City Clerk are hereby authorized to sign the Plat of Dedication.

**SECTION 5:** This Resolution shall become effective from and after its approval.

CITY OF BATAVIA, ILLINOIS RESOLUTION 22-071-R

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**PRESENTED** to the City Council of the City of Batavia, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**PASSED** by the City Council of the City of Batavia, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**APPROVED** by me as Mayor of said City of Batavia, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Jeffery D. Schielke, Mayor

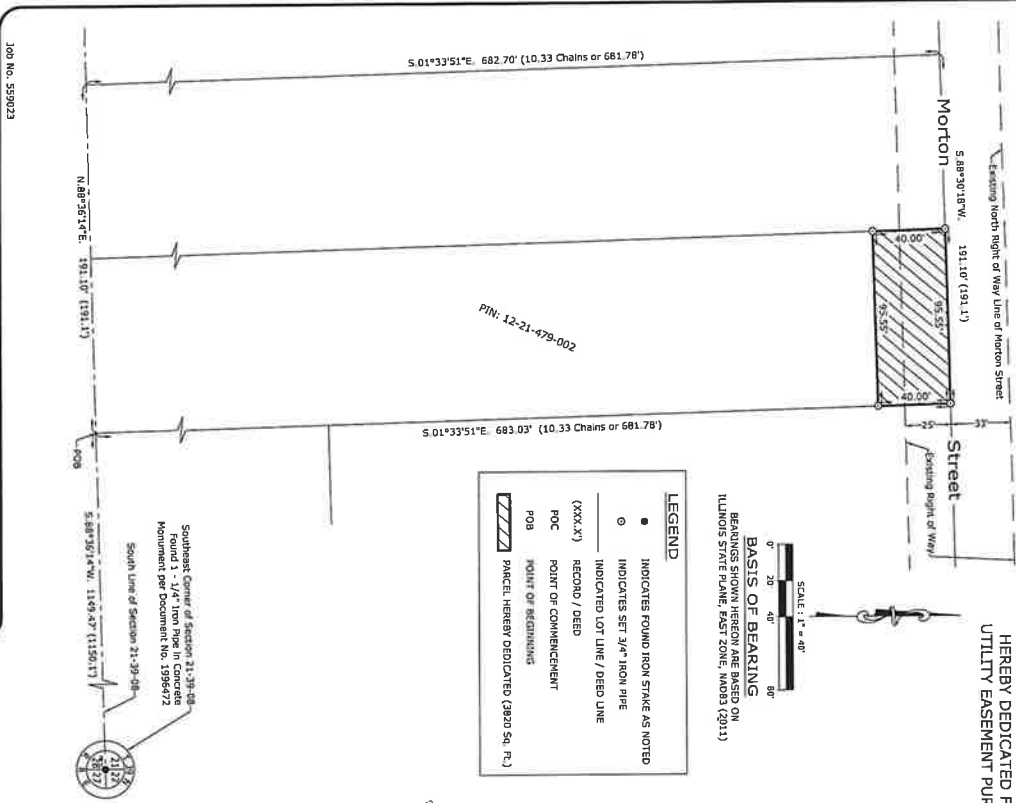
Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	Solfa					Baerren				
2	Leman					Wolff				
3	Ajazi					Chanzit				
4	Malay					Connelly				
5	Uher					Beck				
6	Cerone					Russotto				
7	Vogelsinger					Miller				
Mayor Schielke										
<b>VOTE:</b>		Ayes	Nays	Absent	Abstentions					
Total holding office:		Mayor and 14 aldermen								

ATTEST:

\_\_\_\_\_  
Kate Garrett, City Clerk

# MORTON STREET

HEREBY DEDICATED FOR PUBLIC RIGHT-OF-WAY AND UTILITY EASEMENT PURPOSES TO THE CITY OF BATAVIA



SCALE: 1" = 40'

BASIS OF BEARING  
BEARINGS SHOWN HEREON ARE BASED ON ILLINOIS STATE PLANE, PAST ZONE, NAD83 (2011)

**LEGEND**

- INDICATES FOUND IRON STAKE AS NOTED
- INDICATES SET 3/4" IRON PIPE
- INDICATED LOT LINE / DEED LINE
- (XXX.X) RECORD / DEED
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- ▨ PARCEL HEREBY DEDICATED (9230 SQ. FT.)

**DESCRIPTION OF RIGHT-OF-WAY HEREBY DEDICATED**

THE NORTH 40 FEET OF THE EASTERN 1/2 OF THAT PART OF THE SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 36 NORTH, RANGE 8 WEST, THIRD RANGE, DECAUEN, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SECTION, 1150.1 FEET WEST OF THE SOUTHWEST CORNER THEREOF; THENCE NORTH 10.33 CHAINS; THENCE EAST 191.1 FEET; THENCE SOUTH 10.33 CHAINS; THENCE EAST 191.1 FEET TO THE PLACE OF BEGINNING, IN THE TOWNSHIP OF BATAVIA, KANE COUNTY, ILLINOIS.

**CITY OF BATAVIA CERTIFICATE**  
STATE OF ILLINOIS } S.S.  
COUNTY OF KANE }  
APPROVED BY THE CITY OF BATAVIA, KANE COUNTY, ILLINOIS,  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, A.D.  
MAYOR \_\_\_\_\_  
CITY CLERK \_\_\_\_\_

**OWNER'S CERTIFICATE**  
STATE OF ILLINOIS } S.S.  
COUNTY OF KANE }  
THIS IS TO CERTIFY THAT TODD A. MARTIN AND JAMES E. MARTIN, ARE THE OWNERS OF THE PROPERTY DESCRIBED HEREON AND DOES HEREBY DEDICATE THE PARCEL SHOWN HEREON TO THE CITY OF BATAVIA FOR STREET, SIDEWALK AND UTILITY PURPOSES.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ A.D.  
BY: \_\_\_\_\_  
TODD A. MARTIN  
JAMES E. MARTIN  
1140 MORTON STREET, BATAVIA, IL 60510

**NOTARY PUBLIC**  
STATE OF ILLINOIS } S.S.  
COUNTY OF KANE }  
I, A NOTARY PUBLIC IN AND FOR THE COUNTY OF KANE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT TODD A. MARTIN AND JAMES E. MARTIN ARE PERSONALLY KNOWN TO ME TO BE THE SAME WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING CERTIFICATE, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY UNDERSTAND THE NATURE AND CONSEQUENCES OF THE ACTS AND PURPOSES HEREIN SET FORTH, GIVEN UNDER MY HAND AND NOTORIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

**NOTARY PUBLIC**  
MY COMMISSION EXPIRES \_\_\_\_\_  
**COUNTY CLERK CERTIFICATE**  
STATE OF ILLINOIS } S.S.  
COUNTY OF KANE }  
I, JOHN CUNNINGHAM, COUNTY CLERK OF KANE COUNTY, ILLINOIS DO HEREBY CERTIFY THAT TODD A. MARTIN AND JAMES E. MARTIN ARE PERSONALLY KNOWN TO ME TO BE THE SAME WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING CERTIFICATE, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY UNDERSTAND THE NATURE AND CONSEQUENCES OF THE ACTS AND PURPOSES HEREIN SET FORTH, GIVEN UNDER MY HAND AND SEAL OF THE COUNTY OF KANE AT ILLINOIS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

**SURVEYOR'S CERTIFICATE**  
STATE OF ILLINOIS } S.S.  
COUNTY OF KANE }  
THIS IS TO CERTIFY THAT THE PLAT HEREON DRAWN WAS PREPARED BY ASH CONSULTANTS, INC. UNDER MY SUPERVISION FROM A FIELD SURVEY COMPLETED MAY 22, 2022 FOR THE PURPOSE OF DEDICATING THE HEREON DESCRIBED PARCEL FOR ROADWAY AND UTILITY PURPOSES.  
DATED AT BATAVIA THIS 13th DAY OF JUNE, 2022.  
SHAWN R. VAN KAMMEN  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2710  
LICENSE EXPIRATION DATE: NOVEMBER 30, 2022

**PRELIMINARY**

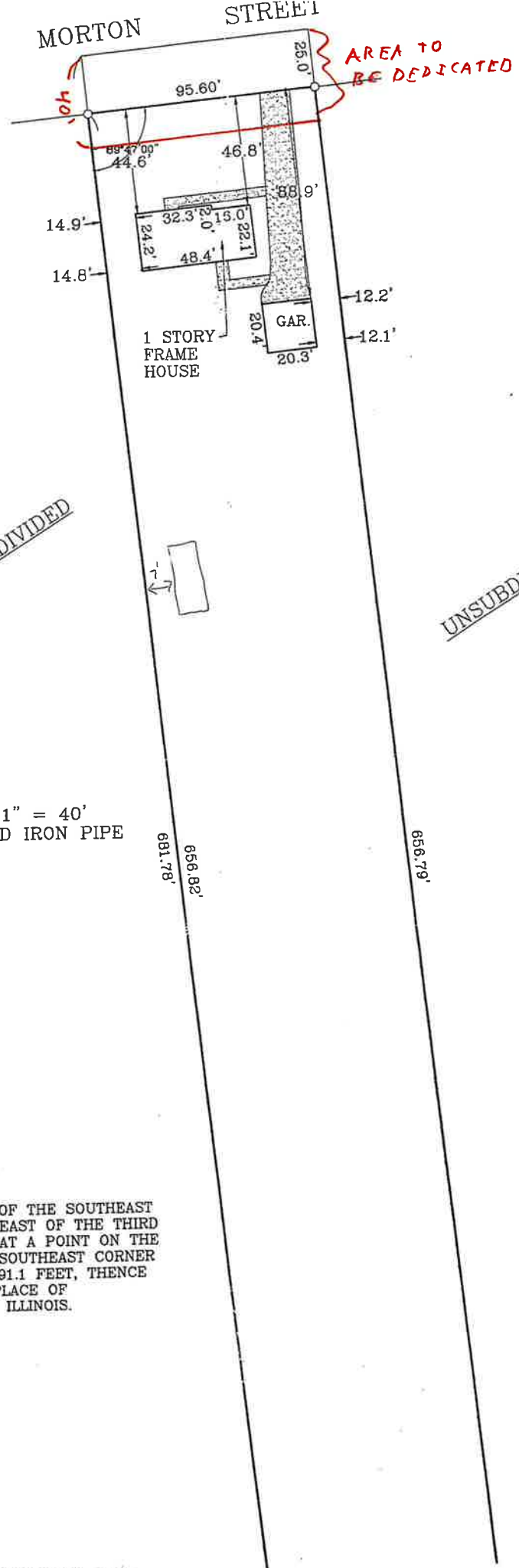
PREPARED BY:

**ASCM**  
ASH CONSULTANTS, INC.  
16 E Wilson Street, Batavia IL 60510  
(630) 879-0200  
www.ashinc.com  
Professional Design Firm #184-006014 expires 4/30/2023

PREPARED FOR:

**CITY OF BATAVIA**  
100 N Island Avenue  
Batavia, IL 60510





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 DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE  
 SECTION 1150.1 FEET WEST OF THE SOUTHEAST CORNER  
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 THENCE EAST 191.1 FEET, TO THE PLACE OF  
 TOWNSHIP OF BATAVIA, KANE COUNTY, ILLINOIS.

( KNOWN AS 1140 MORTON STREET.

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 SS  
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