

ORDINANCE NO. 2007-26

**AN ORDINANCE VACATING THE
LANDSCAPE, DRAINAGE AND UTILITY
EASEMENT ON THE BIEBRACH
SUBDIVISION, PROPERTY OWNED BY
COLLEGE OF LAKE COUNTY, IN THE
VILLAGE OF VERNON HILLS, LAKE
COUNTY, ILLINOIS**

WHEREAS, the College of Lake County (“CLC”) and the Village of Vernon Hills (“Village”) wish to cause the vacation of the landscape, drainage and utility easements described and shown upon the Plat of Vacation of the Biebrach Subdivision dated April 22, 2005 a copy of which is attached hereto and made a part hereof as Exhibit A, which has been dedicated to the Village pursuant to the original plat; and

WHEREAS, CLC received approval by the Village to develop the property pursuant to Ordinance 2004-59, dated June 15, 2004; and

WHEREAS, the landscape, drainage and utility easements have never been improved and the easements are no longer necessary to the proposed development of the property; and

WHEREAS, it is in the public interest to vacate the landscape, drainage and utility easements for the proposed development.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, COUNTY OF LAKE AND STATE OF ILLINOIS:

SECTION I. That landscape, drainage and utility easements of the Biebrach Subdivision located in Vernon Hills, Lake County, Illinois, as shown on the Plat of Vacation of the Biebrach dated April 22, 2005 are hereby vacated, with title going to the College of Lake County.

SECTION II. SEVERABILITY. In the event that any section, clause, provision, or part of this ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect. If any part of this ordinance is found to be invalid in any one or more of its several applications, all valid applications that are severable from the invalid applications shall remain in effect.

SECTION III. REPEAL AND SAVINGS CLAUSE. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions or causes of action which shall have accrued to the Village of Vernon Hills prior to the effective date of this ordinance.

SECTION IV. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

SECTION V. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2007-26.

Adopted by roll call vote as follows:

AYES: 4-Marquardt, Schultz, Schwartz, Hebda

NAYS: 0-None

ABSENT AND NOT VOTING: 2-Williams, Koch

Roger L. Byrne, Village President

PASSED: 4/10/2007

APPROVED: 4/10/2007

PUBLISHED: 4/11/2007

ATTEST:

Linda Pelletier, Village Clerk