

**RESOLUTION PROVIDING FOR PARTIAL VACATION
AND ABROGATION OF EASEMENT FOR STORM
AND SANITARY SEWER AND/OR WATER**

WHEREAS, the Village of Barrington Hills (the "Village") located in the Counties of Cook, Kane, Lake, and McHenry in the State of Illinois, is a home rule municipality; and

WHEREAS, Christopher Allen Cope ("Owner") is owner of property located at 91 Brinker Road, Barrington Hills 60010 (the "Subject Property"), which is located within the Resubdivision of Hills and Dales, being a subdivision of a part of Section 10, Township 42 North, Range 9, east of the Third Principal Meridian (the "Subdivision") as per plat thereof, recorded March 21, 1929 as document 10316023 (the "Plat"); and

WHEREAS, the Plat establishes an easement six (6) feet in width for storm and sanitary sewer and/or water, along the side lot lines and rear lot lines of lots in the Subdivision (the "Easement"); and

WHEREAS, Owner has requested that the Village vacate that part of the Easement that bisects the Subject Property as shown on the Plat of Survey attached hereto as Exhibit A; and

WHEREAS, the Village Board of Trustees has determined that the public interest will be served by vacating that part of the Easement that bisects the Subject Property as shown on Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Barrington Hills, located in the Counties of Cook, Kane, Lake and McHenry in the State of Illinois, a home rule municipality, the following:

SECTION 1: The foregoing recitals are hereby incorporated into this Resolution as findings of the President and Board of Trustees.

SECTION 2: The President is hereby authorized to execute and have recorded the "Vacation and Abrogation of Easement" attached hereto as Exhibit B, for the purpose of vacating that portion of the Easement affecting the Subject Property that lies along the easterly 6 feet of Lot 30 and the westerly 6 feet of Lot 29 as shown on Exhibit A.

SECTION 3: In the event there are any other easements within the Subject Property, the person or entity owning such facilities, property, rights of way and easement shall so continue without effect of this Resolution as in the judgment of the Village, it is necessary and desirable for continuing public service by means of those facilities and for the maintenance, renewal and reconstruction thereof.

SECTION 4: If any part or provision of this Resolution shall be held or deemed to be invalid, such invalidity shall not have the effect of rendering another part or provision of this Resolution invalid.

SECTION 5: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

APPROVED THIS 26th DAY OF September, 2005

AYES: 6, NAYS: 0; ABSENT: 1.

Attest:

Grace Wytmar
Village Clerk

R. J. Allen
Village President