

RESOLUTION No. 09- 24

**Resolution Approving Vacation of Drainage
Easement on Lot 4 of Porter School Subdivision**

WHEREAS, on May 20, 1996, the Board of Trustees of the Village of Barrington Hills approved the Final Plat of the Porter School Subdivision, which plat was recorded on August 1, 1996, by the Recorder of Deeds of Lake County, Illinois, as Document No. 3857276 ("Plat of Subdivision"); and

WHEREAS, on August 1, 1996, the Covenants, Conditions, Restrictions, and Easements for Porter School Subdivision were recorded by the Recorder of Deeds of Lake County, Illinois, as Document No. 3857277 ("CCR's"); and

WHEREAS, the Plat of Subdivision and the CCR's established certain drainage and stormwater detention easements on various lots in the Porter School Subdivision ("Subdivision"); and

WHEREAS, on January 8, 2001, the Plan Commission of the Village of Barrington Hills, after being advised by the Village Engineer, recommended that the Detention Easement on Lot 5 of the Porter School Subdivision be vacated; and

WHEREAS, on January 22, 2001, the Board of Trustees by Resolution 01-1 authorized the vacation of the Detention Easement on Lot 5; and

WHEREAS, on December 7, 2009, the Plan Commission, after being advised by the Village Engineer, recommended that the westerly 20-foot wide drainage easement on Lot 4 of the Porter School Subdivision, as such easement is depicted on the Plat of Vacation that is attached hereto as Exhibit A, ("Drainage Easement") be vacated.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Barrington Hills, Cook, Kane, Lake and McHenry Counties, Illinois, a home rule municipality, as follows:

Section 1. Incorporation of Preambles. The foregoing recitals are hereby incorporated into this Resolution by this reference.

Section 2. Approval of Vacation of Drainage Easement. The Vacation of Drainage Easement on Lot 4, which is attached hereto and made a part hereof as Exhibit B, is hereby approved, and the President and Village Clerk of the Village of Barrington Hills are hereby authorized and directed to sign said Vacation of Drainage Easement on Lot 4 on behalf of the Village after the same has been executed by the owner of Lot 4 of the Porter School Subdivision and by an authorized representative of the Porter School Property Owners Association.

Section 3. Consent to Third Amendment of Covenants, Conditions, Restrictions and Easements. The Third Amendment of the Declaration of Covenants, Conditions, Restrictions and Easements for Porter School Subdivision, which is attached hereto and made a part hereof as Exhibit C, is hereby approved, and the President and Village Clerk of the Village of Barrington Hills are hereby authorized and directed to execute the consent of the Village as set forth in said

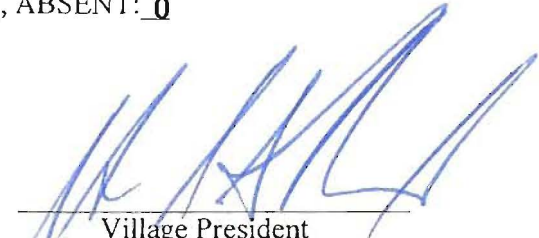
Third Amendment after the same has been executed by the owners of not less than fifty one percent (51%) of the owners of lots in said Subdivision.

Section 4. Superseder and Effective Date. All resolutions, motions and orders or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded; and this Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED AND APPROVED THIS 21 DAY OF
December, 2009
AYES: 7, NAYS: 0, ABSENT: 0

ATTEST:


Village Clerk


Village President