

A G E N D A

SPECIAL MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK, COMMITTEE OF THE WHOLE, TO BE HELD ON MONDAY, MAY 8, 2023, AT 5:30 P.M. AT THE COMMUNITY RESOURCE CENTER (CRC), 825 MIDWAY DRIVE, WILLOWBROOK, IL, DUPAGE COUNTY, ILLINOIS

THE VILLAGE WILL BE OFFERING A ZOOM WEBINAR FOR THE MEETING TO ALLOW MEMBERS OF THE PUBLIC TO ATTEND BY VIDEO OR AUDIO IF DESIRED. IF A MEMBER IS USING ZOOM, PLEASE EITHER USE YOUR PHONE OR COMPUTER, NOT BOTH.

THE PUBLIC CAN UTILIZE THE FOLLOWING CALL-IN NUMBER:

Dial-in Phone Number: 312-626-6799

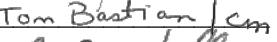
Meeting ID: 842 1265 2224

Written Public Comments Can Be Submitted By 5:15 P.M. on May 8, 2023 to aarteaga@willowbrook.il.us

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. VISITORS' BUSINESS - Public Comment is Limited to Three Minutes Per Person
5. DISCUSSION - DISCUSSION REGARDING THE EXISTING PUBLIC SIDEWALK, EXISTING FIRE HYDRANT, EXISTING EASEMENT APPROVED IN 2006, AND A PROPOSED RESUBDIVISION TURNING A SINGLE-FAMILY RESIDENTIAL LOT INTO TWO SINGLE-FAMILY RESIDENTIAL LOTS AT 5905 WESTERN AVENUE.
6. ADJOURNMENT

VILLAGE OF WILLOWBROOK

COMMITTEE OF THE WHOLE MEETING AGENDA ITEM - HISTORY/COMMENTARY

ITEM TITLE: DISCUSSION – DISCUSSION REGARDING THE EXISTING PUBLIC SIDEWALK, EXISTING FIRE HYDRANT, EXISTING EASEMENT APPROVED IN 2006, AND A PROPOSED RESUBDIVISION TURNING A SINGLE-FAMILY RESIDENTIAL LOT INTO TWO SINGLE-FAMILY RESIDENTIAL LOTS AT 5905 WESTERN AVENUE.	AGENDA NO. 5. AGENDA DATE: 5/8/23
STAFF REVIEW: Michael Krol, Director of Community Development SIGNATURE: 	
LEGAL REVIEW: Tom Bastian, Village Attorney SIGNATURE: 	
RECOMMENDED BY: Sean Halloran, Village Administrator SIGNATURE: 	
REVIEWED & APPROVED BY COMMITTEE:	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
ITEM HISTORY (PREVIOUS VILLAGE BOARD REVIEWS, ACTIONS RELATED TO THIS ITEM, OTHER HISTORY)	
Gail Fransen is the property owner of the subject lot, which is zoned R-2. The existing single-family house is located on a 1.38-acre lot. Ms. Fransen has formally applied to re-subdivide her lot into two (2) single-family residential lots, which will be considered by the Plan Commission and Village Board at a future date.	
In 2006, a ten-foot (10') utility, drainage, and sidewalk easement was approved by the Village Board under Resolution 06-R-42. Within the easement, located along the north property boundary, facing 59 th Street, is a public sidewalk and fire hydrant, both encroaching the subject property line.	
ITEM COMMENTARY (BACKGROUND, DISCUSSION, RECOMMENDATIONS, ETC.)	
The owner, Gail Fransen, is before the committee tonight to discuss the encroachment of the public sidewalk and a fire hydrant within the property boundary. Both are located along 59 th Street, east of Western Avenue within the previously approved ten-foot (10') easement.	
According to a letter dated December 9, 2022, the property owner is seeking action on the following three items:	
<ol style="list-style-type: none">1. Void the easement the Village Board granted in 2006.2. Remove the sidewalk within the property boundary and easement and relocating the public sidewalk entirely onto the Village right-of-way.3. Relocate the existing fire hydrant to the Village right-of-way.	
The public sidewalk sits approximately eight feet (8') from the 59 th Street edge of pavement. Between the public sidewalk and 59 th Street is a ten-inch (10") watermain and a gas line. The sidewalk is slightly curved to go around the existing fire hydrant and utility lines. The fire hydrant is located within the subject property boundary easement. Tri-State Fire Protection District inspected the current location and determined that the fire hydrant is necessary in that area and there is nowhere else for it to be located. Furthermore, Tri-State stated the hydrant is not currently free and clear of obstructions required by the code (3-foot clearance) since the bushes are growing within the required clearance area.	
The following documents are attached to the agenda history for your consideration:	
<ol style="list-style-type: none">1. A plat of survey for the subject property.2. Resolution 06-R-423. A GIS map screen shot indicating the 10-inch watermain location.4. A letter dated to Director Krol, dated December 9, 2022, explaining the situation and request.	
ACTION PROPOSED: Discuss the request by Gail Fransen of 5905 Western Avenue.	

PLAT OF SURVEY

THE WEST 234.91 FEET OF LOT 17 IN CLARENDON HILLS ACRE ESTATES, BEING A SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 35 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 7, 1923, AS DOCUMENT 163397, IN DUPAGE COUNTY, ILLINOIS.

E. 59TH STREET



PREPARED FOR: GAIL M. FRANSEN

LANDMARK

ENGINEERING LLC
DESIGN FIRM REGISTRATION NO. 184-005577-0010
7808 W. 103RD STREET

BEARINGS SHOWN HEREON ARE BASED ON IL. S.P.C. EAST ZONE, NAD83. NO IMPROVEMENTS SHOULD BE CONSTRUCTED ON THE BASIS OF THIS PLAT ALONE AND NO DIMENSIONS, LENGTHS OR WIDTHS SHOULD BE ASSUMED FROM SCALING. FIELD MONUMENTATION OF CRITICAL POINTS SHOULD BE ESTABLISHED PRIOR TO COMMENCEMENT OF CONSTRUCTION.

FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON,
REFER TO DEEDS, ABSTRACTS, TITLE POLICIES, SEARCHES OR COMMITMENTS,
DOCUMENTS, CONTRACTS AND LOCAL BUILDING AND ZONING ORDINANCES.

FIELD WORK COMPLETED: 10/7/2022

THIS PROFESSIONAL SERVICE CONFORMS TO THE
CURRENT ILLINOIS STANDARDS FOR A BOUNDARY SURVEY.

DATED: 11/8/2022



MARK H. LANDSTROM I.P.L.S. No. 2625
LICENSE RENEWAL DATE: NOVEMBER 30, 2022
SURVEY No. 22-09-029-POS



137
FRED BUCHOLZ
DUPAGE COUNTY RECORDER
JUL.14,2006 4:00 PM
PLAT 09-15-401-016
003 PAGES R2006-134966

(Above Space for Recorder's Office Only)

VILLAGE OF WILLOWBROOK
7760 Quincy Street
Willowbrook, Illinois 60527

RECORDED DOCUMENT TITLE PAGE

Title of

Document: Resolution No. 06-R-42 entitled, "A Resolution Authorizing the Village President and Village Clerk to Execute a Certain Plat of Easement - 5905 Western Avenue

Type of Document: Resolution No. 06-R-42 along with the mylar of the Plat of Easement

Property Address/es 5905 Western Avenue, Willowbrook, IL
(If vacant land, state vacant land and list nearest cross streets.)

PIN/s Number 09-15-401-016

Name & Address of Responsible
Party to Receive Recorded
Document and Billing:
G/L Account # to be Billed

Gorski & Good
211 S Wheaton Avenue
P.O. Box 611
Wheaton, IL 60189-0611

Prepared By:
Gorski & Good
211 S Wheaton Avenue
P.O. Box 611
Wheaton, IL 60189-0611

Return To:
Gorski & Good
211 S Wheaton Avenue
P.O. Box 611
Wheaton, IL 60189-0611

AFTER RECORDATION - - - PLEASE FORWARD ONE COPY OF THE IMAGED DOCUMENT WITH THE
RECORDED NUMBER ON EACH PAGE TO THE FOLLOWING:

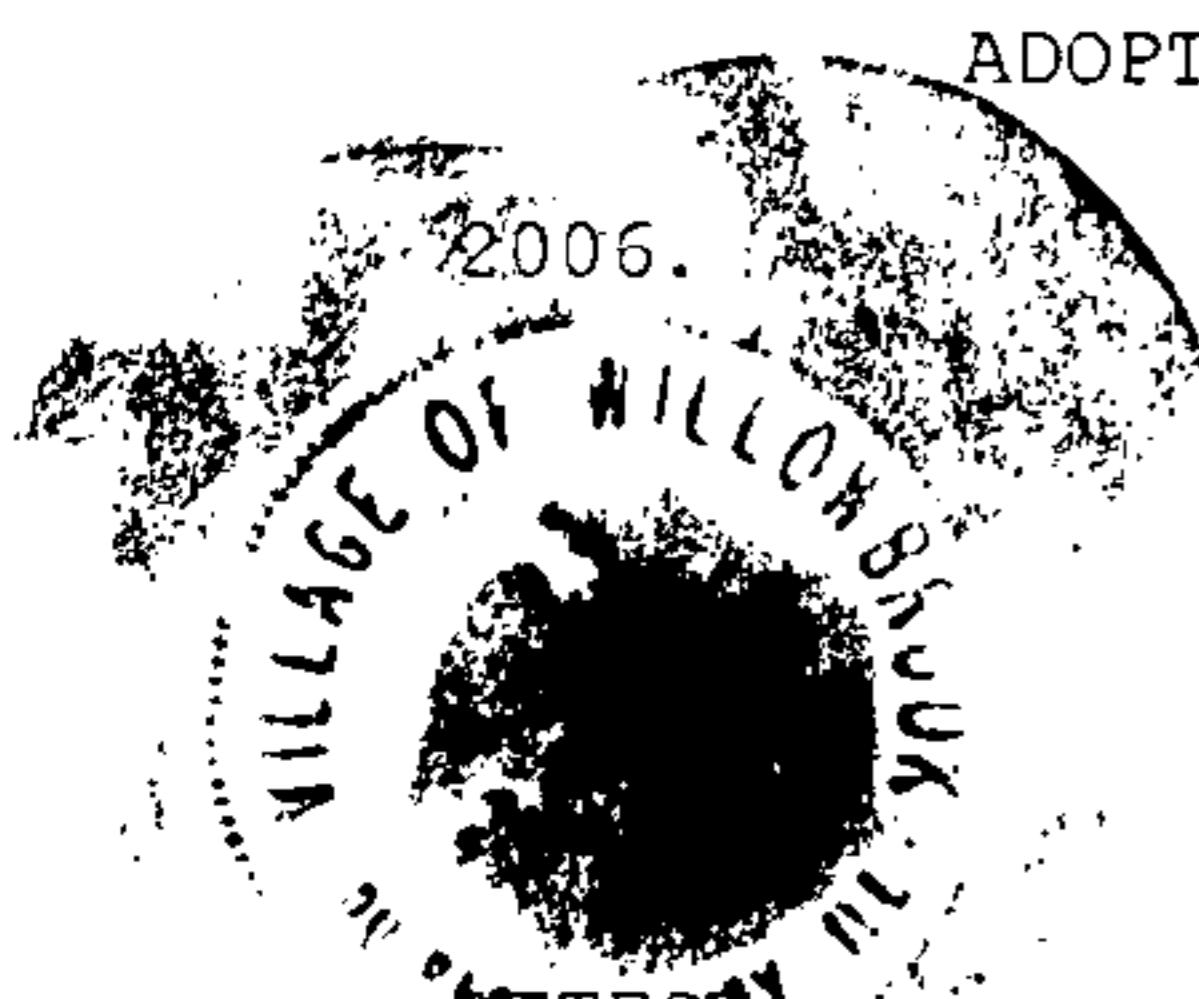
Village of Willowbrook
7760 Quincy Street
Willowbrook, IL 60527

RESOLUTION NO. 06-R-42

A RESOLUTION AUTHORIZING THE VILLAGE
PRESIDENT AND VILLAGE CLERK TO EXECUTE A
CERTAIN PLAT OF EASEMENT - 5905 WESTERN
AVENUE

BE IT RESOLVED by the President and Board of Trustees
of the Village of Willowbrook, DuPage County, Illinois, that the
President and Village Clerk are hereby authorized to execute the
Plat of Easement attached hereto and incorporated herein as
Exhibit "A" prepared by David M. Sporina, Illinois Professional
Land Surveyor No. 3394, consisting of one sheet and dated June
23, 2006.

ADOPTED and APPROVED this 10th day of July,



APPROVED:

Village President

Lloyd Hansen
Village Clerk

ROLL CALL VOTE:

AYES: Baker, Mistek, Brown, Napoli, Schenbeck

NAYS: 0

ABSTENTIONS: 0

ABSENT: McMahon

THE NORTH 110.00 FEET OF THE WEST 234.91 FEET OF LOT 17 IN CLARENDON HILLS
ACRE ESTATES, BEING A SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 15,
TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AC-
CORDING TO THE PLAT THEREOF RECORDED MARCH 7, 163397, IN DUPAGE COUNTY,
ILLINOIS.

PLAT

FRED BUCHOLZ

Du Page County Recorder

421 North County Farm Road - Wheaton IL 60187
(630) 407-5400

DATE OF
INSTRUMENT:

7/10/06

PLAT

R2006-134966

JUL. 14, 2006

4:00 PM

CASH

CHECK

42

CREDIT CARD

DOCUMENT TYPE:

SUBDIVISION

ANNEXATION

VACATION

DEDICATION

ORDINANCE

EASEMENT EXHIBIT "A"

DECLARATION

RESOLUTION

TITLE: _____

1ST PARTY: GORSKI, GAIL M

2ND PARTY: WILLOWBROOK, VILLAGE OF;

AMERITECH, NORTHERN ILLINOIS GAS CO;

COMM ED; HINSDALE SANITARY DIST

LEGAL DESCRIPTION: Pt L 17 Cr Hls ACRE ESTS

SEC. 15 TWP. 39 RANGE 11

PIN NO. 09-05-401-010 UNIT NO. 1

SUBMITTED BY:

ERIC

BOOK 1

PAGE 1

NUMBER OF PAGES 1

ACCOMPANYING PAPERS: PLS RSLN 06-R-42

YES NO

MAIL TO: VILLAGE OF WILLOWBROOK
7760 QUINCY ST
WILLOWBROOK, IL 60521

PLAT OF EASEMENT - Exhibit "A" to Rev. # 06-R-42.

PART OF PERMANENT INDEX NUMBER: 09-15-401-016

OWNER'S CERTIFICATE
 STATE OF ILLINOIS } SS
 COUNTY OF DU PAGE)
 THIS IS TO DECLARE THAT THE UNDERSIGNED IS THE OWNER OF THE LAND DESCRIBED IN THE ANNEXED PLAT, AND HAS CAUSED THE SAME TO BE PLATTED AS INDICATED THEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.
 THE UNDERSIGNED HEREBY GRANTS EASEMENTS FOR PUBLIC USE AND FOR THE INSTALLATION OF VARIOUS PUBLIC UTILITIES AS DESIGNATED AND/OR AS STATED IN THE UTILITY EASEMENT PROVISIONS WHICH ARE STATED HEREON.
 ALL EASEMENTS INDICATED AS PUBLIC UTILITY EASEMENTS ON THIS PLAT ARE RESERVED FOR AND GRANTED TO THE VILLAGE OF WILLOWBROOK AND TO THOSE PUBLIC UTILITY COMPANIES OPERATING UNDER FRANCHISE FROM THE VILLAGE OF WILLOWBROOK, INCLUDING BUT NOT LIMITED TO, MERITECH, NORTHERN ILLINOIS GAS COMPANY, COMM-TELE, THE EDISON COMPANY, THE HINSDALE SANITARY DISTRICT, AND THEIR SUCCESSORS AND ASSIGNS, FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN AND OPERATE VARIOUS UTILITY, TRANSMISSION AND DISTRIBUTION SYSTEMS AND INCLUDING STORM AND/OR SANITARY SEWERS TOGETHER WITH ANY AND ALL NECESSARY MANHOLES, CATCH BASINS, CONNECTIONS, APPLIANCES, AND OTHER STRUCTURES AND APPURTENANCES AS MAY BE DEEMED NECESSARY BY SAID VILLAGE, OVER, UPON, ALONG, UNDER, AND THROUGH SAID EASEMENTS, TOGETHER WITH RIGHT OF ACCESS ACROSS THE PROPERTY, FOR NECESSARY MEN AND EQUIPMENT TO DO ANY OF THE ABOVE WORK AND THE RIGHT IS ALSO GRANTED TO CUT DOWN, TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS ON THE EASEMENT THAT INTERFERE WITH THE OPERATION OF THE SEWERS OR OTHER UTILITIES. NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SAID EASEMENT, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS. LOCATION OF UTILITY INSTALLATIONS WITHIN THE EASEMENT SHALL BE SUBJECT TO THE APPROVAL OF THE VILLAGE OF WILLOWBROOK, AS TO DESIGN AND LOCATION. ALL INSTALLATIONS ARE SUBJECT TO THE ORDINANCES OF THE VILLAGE OF WILLOWBROOK.

AN EASEMENT IS HEREBY GRANTED TO THE VILLAGE OF WILLOWBROOK OVER, UPON AND ACROSS THOSE PORTIONS OF THE LOT WITHIN THE DASHED LINES MARKED "SIDEWALK EASEMENT" FOR INSTALLATION AND MAINTENANCE OF SIDEWALKS THEREON, AND FOR PEDESTRIAN INGRESS AND EGRESS BY THE GENERAL PUBLIC. THE EXERCISE OF THE EASEMENT CREATED HEREBY SHALL BE SUBJECT TO ALL APPLICABLE ORDINANCES OF THE VILLAGE.

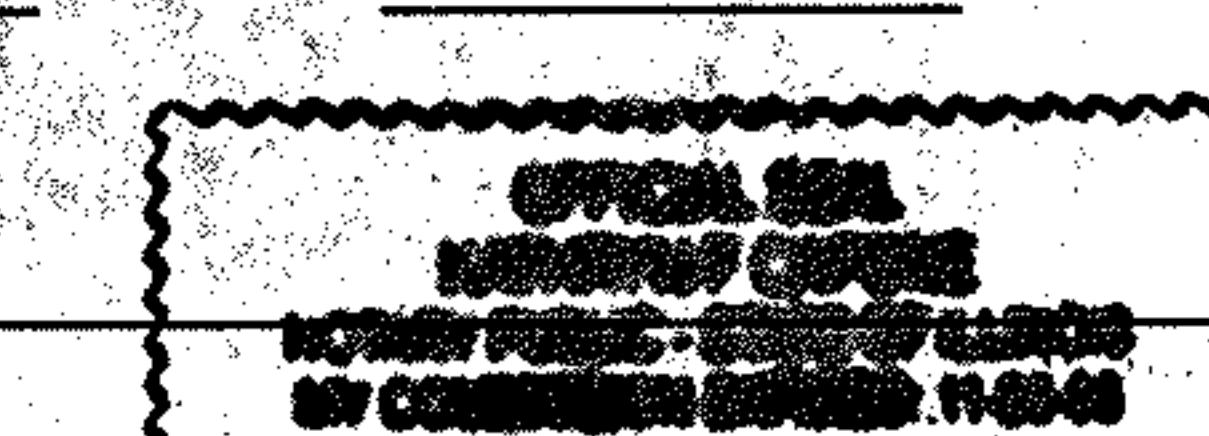
DATED THIS 29th DAY OF June, A.D. 2006.

Gail M. Gorski

STATE OF ILLINOIS } SS
 COUNTY OF DU PAGE)
 I, KATHRYN F. CAPONE, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT GAIL M. GORSKI IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME ARE SUBSCRIBED TO THE AFORESAID INSTRUMENT AS SUCH OWNER, APPEARED BEFORE ME THIS DATE IN PERSON AND ACKNOWLEDGED THAT HE SIGNED THE ANNEXED PLAT AS HIS OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARY SEAL THIS 29th DAY OF June A.D. 2006
 AT HINSDALE, ILLINOIS.

Kathryn F. Capone
 NOTARY PUBLIC



BOARD OF TRUSTEES' CERTIFICATE

STATE OF ILLINOIS } SS
 COUNTY OF DU PAGE)
 APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS AT A MEETING HELD THIS 29 DAY OF July, A.D. 2006.

BY: Daryn R. Johnson
 PRESIDENT

ATTEST: Lucy R. Johnson
 VILLAGE CLERK



SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS } SS
 COUNTY OF COOK)
 WE, THOMSON SURVEYING, LIMITED, ILLINOIS PROFESSIONAL DESIGN FIRM NUMBER 184-002768, DO HEREBY DECLARE THAT THE PLAT SHOWN HEREON DRAWN WAS COMPILED FROM EXISTING SURVEYS AND INSTRUMENTS OF PUBLIC RECORD FOR THE PURPOSE INDICATED HEREON.

THE NORTH 10.00 FEET OF THE WEST 234.91 FEET OF LOT 17 IN CLARENCE HILLS ACRE ESTATES, BEING A SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 7, 163397, IN DUPAGE COUNTY, ILLINOIS.

AS SHOWN ON THIS PLAT OF EASEMENT, WHICH IS A CORRECT REPRESENTATION OF SAID EASEMENT, ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF. I FURTHER DECLARE THAT ALL REGULATIONS ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK, A MUNICIPAL CORPORATION IN DU PAGE COUNTY, ILLINOIS, RELATIVE TO PLATS OF EASEMENT HAVE BEEN COMPLIED WITH IN THE PREPARATION OF THIS PLAT.

I FURTHER DECLARE THAT THE PROPERTY, WHICH INCLUDES THE AFOREDESCRIBED EASEMENT, LIES WITHIN THE CORPORATE LIMITS OF SAID VILLAGE OF WILLOWBROOK OR WITHIN ONE AND ONE-HALF MILES OF THE CORPORATE LIMITS OF SAID VILLAGE, WHICH HAS ADOPTED A CIVIL PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE, AS NOW OR HEREAFTER AMENDED.

GIVEN UNDER MY HAND AND SEAL AT ROSEMONT ILLINOIS,
 THIS 29th DAY OF JUNE, A.D. 2006.

David M. Johnson
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3394
 MY LICENSE EXPIRES NOVEMBER 30, 2006
 DESIGN FIRM LICENSE EXPIRES APRIL 30, 2007

COUNTY RECORDER CERTIFICATE

STATE OF ILLINOIS } SS
 COUNTY OF DUPAGE)
 THIS INSTRUMENT NO. R2006-134966 WAS FILED
 FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS ON
 THE 14 DAY OF July, A.D. 2006, AT
 4:00 O'CLOCK, AND RECORDED IN BOOK 1 OF PLATS ON PAGE 1

For Details of this
 PSLN 06-2-42

See Doc. R2006-134966

BY: Luc Buehler
 RECORDER OF DEEDS
 DUPAGE COUNTY

SURVEYORS NOTES:

1. THIS PLAT OF EASEMENT IS SUBJECT TO MATTERS OF TITLE WHICH MAY BE REVEALED BY A CURRENT TITLE REPORT.
2. BEARINGS ARE FOR ANGULAR REFERENCE ONLY AND ARE RELATED TO TRUE NORTH.

GENERAL NOTES:

1. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.
2. NO DIMENSIONS SHALL BE DERIVED FROM SCALE MEASUREMENT.

PLAN REFERENCE:


PLAT OF SURVEY PREPARED BY SCHLAF-SEIDIG & ASSOCIATES, INC.
 WITH THE EFFECTIVE DATE OF JANUARY 19, 2006

PLAT
 R2006-134966
 JUL. 14, 2006
 4:00 PM

0 30 60
 SCALE: 1" = 30 FEET

PROJECT NO. 3972
 SHEET 1 OF 1
 DRAWINGS NO. 3972, PLN
 PLAT OF EASEMENT
 5905 S. WESTERN AVE.
 WILLOWBROOK, ILLINOIS

TITLE: APRIL 14, 2006
 DATE: APRIL 14, 2006



Submitted By and return to:
 Gorski & Good
 211 S. Wheaton Ave.
 #305
 Wheaton, IL 60187

SURVEYOR'S LEGAL DESCRIPTION

THE NORTH 10.00 FEET OF THE EAST 201.91 FEET OF THE WEST 234.91 FEET OF LOT 17 IN CLARENCE HILLS ACRE ESTATES, BEING A SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 7, 163397, IN DUPAGE COUNTY, ILLINOIS, CONTAINING: 2,019± SQ. FT. (0.04± ACRES)

Thomson Surveying Ltd.
 155 N. Michigan Ave., Suite 850
 Chicago, IL 60601
 TEL: (312) 733-9750
 FAX: (312) 733-9752
 info@thomsonsurveying.com
 THOMSON SURVEYING, LTD. 2006
 TSL

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234.91

3054

0915401016
PROPERTY ADDRESS:
5805 S. WESTERN AVE
WILLOWS BROOK IL 60527

09154
PROPERTY
369 W
WILLIAMSON

Gail M. Fransen

5905 Western Avenue
Willowbrook, Illinois 60527

[REDACTED]

[REDACTED]

09 December 2022

Michael Krol

Director of Community Development
Village of Willowbrook
835 Midway Drive
Willowbrook, Illinois 60527

Dear Mr. Krol,

I am contacting you with regard to the sidewalk on the north side of my property along 59th Street. To review, in 2006 I was updating my plat of survey for possible subdivision, and discovered that the public sidewalk was partially located on my property instead of in the Village's right-of-way. A Village official investigated and admitted that the mistake was made by another Village employee in charge of the sidewalk installation, who unilaterally decided that he did not like putting in a long, straight sidewalk and added some curves to it, thus intruding onto my property. The Village suggested that I give them an easement to allow the sidewalk to remain, and stated that they would need the easement in any case when I subdivided. I agreed to the 10' easement.

It has recently come to my attention that by allowing the sidewalk to stay on my property, I am now liable to being sued if there should be any accident or injury on the sidewalk. I didn't know this at the time. This is unacceptable to me. Perhaps they didn't consider this liability issue at the time, but the Village officials and their lawyer should have been aware of it. It also seems that there is in fact no other need to have this easement.

I am planning to subdivide my lot and sell off the corner lot where this sidewalk is located. I would not want to do that and create a potential problem for the new owner(s), much less myself. Therefore I would like to correct the situation by the following actions.

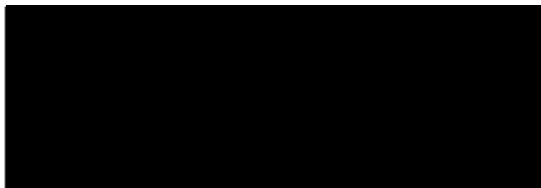
1. I would like to void the easement that I granted on my property to allow the sidewalk to remain and have the easement removed from my plat of survey. The Village should produce any legal paperwork necessary for this.

2. Remove the sidewalk and relocate it next year (2023) so that it is entirely in the right-of-way. All debris including concrete, gravel, etc. from the sidewalk should be removed and the area landscape repaired. It should be filled in with good quality topsoil covered over with 2" wood mulch. It is not necessary to plant grass as most of this area is shady and grass will be difficult to maintain. This work can be coordinated with any construction that may occur on the lot if I sell it, but I want a definite commitment to remove and replace the sidewalk next year and not have it delayed by any other factors.
3. There is also a fire hydrant on my property just south of the sidewalk near the corner of 59th and Western, and I request that an investigation be conducted by the Village to ascertain if that should also be located in the right-of-way. It was placed there the same time that the sidewalk was installed. If so, it should be moved next year (2023) when the work on the sidewalk is done. I don't know if that is a potential liability to me or not.

I know that this all involves some expense to the Village, and when I first agreed to the easement, one consideration was to avoid the cost of moving the sidewalk. However, the potential liability to me now far outweighs that consideration.

I trust that we can resolve my concerns without need for any formal proceedings. Thank you for your consideration.

Sincerely,



Gail M. Fransen