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RECEIVED
MAY 15 2007

ILLINOIS COMMERCE COMMISSION
RAIL SAFETY DIVISION

May 15, 2007

707-0099

Illinois Commerce Commission
Attn: Brian Vercruysse, Senior Rail Safety Specialist
527 East Capitol Avenue
Springfield, IL 62701

Re: Cook Avenue Grade Crossing Closure at Metra/Norfolk & Southern Railroad

Dear Mr. Vercruysse:

The Village of Oak Lawn respectfully requests and applies to the Illinois Commerce Commission for a \$15,000 incentive payment as the result of the closure of the Cook Avenue grade crossing at the Metra/Norfolk & Southern Railroad right-of-way in the Village of Oak Lawn.

I accordance with your instructions, please find attached hereto a certified copy of Village Ordinance No. 06-18-102 approving the partial vacation of streets and alleys within the Oak Lawn Town Center Subdivision development. This ordinance includes the vacation of Cook Avenue and Yourell Drive (Wabash Avenue) located north and immediately adjacent to the railroad right-of-way at the Cook Avenue crossing. Also included, is a plan exhibit that shows the existing grade crossing and the proposed reconfiguration of the Cook Avenue pavement, with both 96th Street and Yourell Drive, after the grade crossing is removed.

I trust that the information provided is adequate to begin the incentive application process. Should you have any questions or need further information concerning this request, please do not hesitate to contact me at your convenience.

Very truly yours,

Lynn J. Krauss, P.E.
Village Engineer/Director
Depts. of Public Works/Quality Control

LJK/ij
cc: Ed Folliard, Acting Village Manager
John "Jack" Gallagher, P.E., Civil Engineer

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, Jane Quinlan, Clerk of the Village of Oak Lawn, in the County of Cook and State of Illinois, do hereby certify that attached hereto is a true and correct copy of

AN ORDINANCE APPROVING PARTIAL VACATION OF STREETS AND ALLEYS WITHIN THE OAK LAWN TOWN CENTER SUBDIVISION - THREE LOTS AT 95TH STREET AND COOK AVENUE (MORNINGSIDE MIDCO TOWN CENTER,INC.)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Village of Oak Lawn this 14th day of May, 2007.



JANE M. QUINLAN, VILLAGE CLERK

**ORDINANCE APPROVING PARTIAL VACATION OF
STREETS AND ALLEYS WITHIN THE OAK LAWN TOWN
CENTER SUBDIVISION—THREE LOTS AT 95TH STREET AND
COOK AVENUE (MORNINGSIDE MIDCO TOWN CENTER, INC.)**

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Oak Lawn, Cook County Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, pursuant to Title 9, Chapter 1.D of the Oak Lawn Village Code, an application (Petition #06-1) to vacate a portion of a public streets and alleys has been submitted to vacate real estate as follows, preserving all easement rights therein:

- A. 66' wide Cook Avenue from 90 feet south of 95th Street to Yourell Drive;
- B. 66' wide Yourell Drive, from 125.15 feet southwest of Cook Avenue to 167.33 feet northwest of Cook Avenue;
- C. 16 foot wide east/west alley south of 95th Street, from 53rd Avenue to Cook Avenue;
- D, 20' wide east/west alley south of 95th Street, from Cook Avenue to 49.76 feet east of Cook Avenue; and
- E. 16' wide north/south alley located between 53rd Avenue and Cook Avenue, from the alley south of 95th Street a distance of 99.84 feet

(hereinafter referred to as the "Vacations"); and

WHEREAS, the applicant has complied with the Village's right-of-way vacation requirements, including the submission of a proposed plat of vacation;

WHEREAS, on August 7, 2006, the Planning and Development Commission of the Village of Oak Lawn held a hearing with regard to the Vacations which are part of the Village approved plan for the Oak Lawn Town Center Development in which the Village has agreed to such Vacations in order to complete the development project; and

WHEREAS, the President and Board of Trustees of the Village find and hereby declare that the hereindescribed portion of the public streets and alleys will not serve any public purpose or be of any public benefit as presently located and that the Vacations subject to the retention by the Village of public utility easements over the entire portion of the vacated property is in the best interests of the Village and its residents;

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK LAWN, COOK COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

SECTION ONE: Subject to the provisions of Section Three hereof and the inclusion of the property index numbers of the parcels on the plat, the plat of vacation attached hereto as Exhibit 1 and made a part hereof shall be, and it is hereby, approved, and the Village Clerk shall be and is hereby authorized and directed to record said plat with the Recorder of Deeds of Cook County, Illinois.

SECTION TWO: Pursuant to 65 ILCS 5/11-91-1, the vacated property shall be incorporated into the Oak Lawn Town Center Subdivision approved of even date herewith.

SECTION THREE: Approval of the plat of vacation is expressly subject to the Village's reservation of a public utility easement over each vacated street and alley.

SECTION FOUR: This Ordinance shall be in full force and effect from and after its passage, approval by at least five of the trustees and publication in the manner provided by law.

PASSED THIS 26th day of SEPTEMBER, 2006.

AYES: TRUSTEES ROSENBAUM, HURCKES, JOY, PHELAN

NAYS: TRUSTEES STREIT, OLEJNICZAK

ABSENT: NONE

APPROVED THIS 27th day of SEPTEMBER, 2006.

ATTEST:



VILLAGE PRESIDENT



VILLAGE CLERK

PUBLISHED BY THE VILLAGE CLERK, IN PAMPHLET FORM, BY AUTHORITY OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF OAK LAWN ON September 26, 2006.

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