

MACOUPIN COUNTY BOARD
RESOLUTION NO. _____

**A Resolution Establishing a Declaration to Vacate Part of Subdivision Plat of the
Carl Mueller's Subdivision, Macoupin County, Illinois**

WHEREAS, there was filed for record in the Office of the Recorder of Deeds of Macoupin County, Illinois, on April 27, 1905, a Plat designated as Carl Mueller's Subdivision of the South Half of the Southeast Quarter of the Southwest Quarter of Section 3, Township 7 North, Range 6 West of the Third Principal Meridian, Macoupin County, Illinois, said Plat being dated April 22, 1905, AND:

WHEREAS, the said Carl Mueller did own and was possessed of the fee simple title to said property as so platted and which Plat does include certain dedicated right of ways for street purposes and public grounds running North and South and running East and West through said Plat, AND:

WHEREAS, George J. Kuchar, is now the owner of all that part of Block 5 lying east of Old Route 66 (F.A.I. Route 5) and all of Block 6 and the West Half of Block 7 in the said Carl Mueller's Subdivision by virtue of a Warranty Deed recorded in the Office of the Recorder of Deeds of Macoupin County, Illinois, AND that running North and South between the said Blocks 5,6, and 7, AND that running East and West along and adjacent to the north side of said Blocks 5, 6 and 7 of said Carl Mueller's Subdivision are certain dedicated right of ways for street purposes and public grounds, AND:

WHEREAS, the said dedicated right of ways for street purposes and public grounds as above mentioned as running between the said Blocks 5, 6 and 7 as running along and adjacent to the north side of the said Blocks 5, 6 and 7, have never since said Plat was filed for record, been appropriated for public use and in fact, that there are no such streets in actual and visible existence, and that an abandonment of said dedicated right of ways, as mentioned above, will not operate to prejudice any owners of any other portion of the Plat, AND:

WHEREAS, there is attached hereto, and made part of, a "Plat of Vacation" describing the limits of the said dedicated right of ways and portions thereof to be vacated, AND:

WHEREAS, George J. Kuchar desires to vacate all that part of the 40 feet wide dedicated right of ways running North and South between the said Blocks 5, 6 and 7, beginning at the south line of the said Blocks 5, 6 and 7 and ending at the north line of the said Blocks 5, 6 and 7 AND to vacate all that part of the 20 feet wide dedicated right of way running East and West along and adjacent to the north side of said Block 5 that lies east of Old Route 66 (F.A.L Route 5) and continuing East along and adjacent to the north side of said Block 6 and along and adjacent to the north side of the West half of

said Block 7 and including all that part of the said 20 feet wide dedicated right of way extending across the North and South 40 feet wide dedicated right of ways between the said Blocks 5, 6 and 7.

IT IS THEREFOR DECLARED by George J. Kuchar to vacate all that part of the 40 feet wide dedicated right of ways running North and South between the said Blocks 5, 6 and 7, beginning at the south line of the said Blocks 5,6 and 7 and ending at the north line of the said Blocks 5, 6 and 7 AND to vacate all that part of the 20 feet wide dedicated right of way running East and West along and adjacent to the north side of said Block 5 that lies east of Old Route 66 (F.A.I. Route 5) and continuing East along and adjacent to the north side of said Block 6 and along and adjacent to the north side of the West Half of said Block 7 and including all that part of the said 20 feet wide dedicated right of way extending across the North and South 40 feet wide dedicated right of ways between the said Blocks 5, 6 and 7, is hereby vacated from this day forward, AND with the approval of the County Board of Macoupin County, Illinois, and that from this day forward, the above described portions of the said Carl Mueller's Subdivision is hereby vacated.

Signed this 16th day of April, 2013.

Voting yes: _____

Voting No: _____

Mark Dragovich
Chairman of the Board
Macoupin County, Illinois

Pete Duncan
County Clerk
Macoupin County, Illinois

DECLARATION TO VACATE PART OF SUBDIVISION PLAT

(Part of Carl Mueller's Subdivision, Macoupin County, Illinois)

WHEREAS, there was filed for record in the Office of the Recorder of Deeds of Macoupin County, Illinois, on April 27, 1905, a Plat designated as Carl Mueller's Subdivision of the South Half of the Southeast Quarter of the Southwest Quarter of Section 3, Township 7 North, Range 6 West of the Third Principal Meridian, Macoupin County, Illinois, said Plat being dated April 22, 1905, AND:

WHEREAS, the said Carl Mueller did own and was possessed of the fee simple title to said property as so platted and which Plat does include certain dedicated right of ways for street purposes and public grounds running North and South and running East and West through said Plat, AND:

WHEREAS, George J. Kuchar, is now the owner of all that part of Block 5 lying east of Old Route 66 (F.A.I. Route 5) and all of Block 6 and the West Half of Block 7 in the said Carl Mueller's Subdivision by virtue of a Warranty Deed recorded in the Office of the Recorder of Deeds of Macoupin County, Illinois, AND that running North and South between the said Blocks 5, 6 and 7, AND that running East and West along and adjacent to the north side of said Blocks 5, 6 and 7 of said Carl Mueller's Subdivision are certain dedicated right of ways for street purposes and public grounds, AND:

WHEREAS, the said dedicated right of ways for street purposes and public grounds as above mentioned as running between the said Blocks 5, 6 and 7 and as running along and adjacent to the north side of the said Blocks 5, 6 and 7, have never since said Plat was filed for record, been appropriated for public use and in fact, that there are no such streets in actual and visible existence, and that an abandonment of said dedicated right of ways, as mentioned above, will not operate to prejudice any owners of any other portion of the Plat, AND:

WHEREAS, there is attached hereto, and made part of, a "Plat of Vacation" describing the limits of the said dedicated right of ways and portions thereof to be vacated, AND:

WHEREAS, George J. Kuchar desires to vacate all that part of the 40 feet wide dedicated right of ways running North and South between the said Blocks 5, 6 and 7, beginning at the south line of the said Blocks 5, 6 and 7 and ending at the north line of the said Blocks 5, 6 and 7, AND to vacate all that part of the 20 feet wide dedicated right of way running East and West along and adjacent to the north side of said Block 5 that lies east of Old Route 66 (F.A.I. Route 5) and continuing East along and adjacent to the north side of said Block 6 and along and adjacent to the north side of the West Half of said Block 7 and including all that part of the said 20 feet wide dedicated right of way extending across the North and South 40 feet wide dedicated right of ways between the said Blocks 5, 6 and 7.

IT IS THEREFOR DECLARED by George J. Kuchar to vacate all that part of the 40 feet wide dedicated right of ways running North and South between the said Blocks 5, 6 and 7, beginning at the south line of the said Blocks 5, 6 and 7 and ending at the north line of the said Blocks 5, 6 and 7, AND to vacate all that part of the 20 feet wide dedicated right of way running East and West along and adjacent to the north side of said Block 5 that lies east of Old Route 66 (F.A.I. Route 5) and continuing East along and adjacent to the north side of said Block 6 and along and adjacent to the north side of the West Half of said Block 7 and including all that part of the said 20 feet wide dedicated right of way extending across the North and South 40 feet wide dedicated right of ways between the said Blocks 5, 6 and 7, is hereby vacated from this day forward, AND with the approval of the County Board of Macoupin County, Illinois, and that from this day forward, the above described portions of the said Carl Mueller's Subdivision is hereby vacated.

STATE OF ILLINOIS)
COUNTY OF MACOUPIN) SS

I, Elizabeth M Young, a Notary Public, in and for Macoupin County, Illinois, do hereby certify that George J. Kuchar, personally known to me to be the same person whose name is subscribed to the foregoing instrument appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notary seal this 8 day of April, A.D. 2013.



George J. Kuchar
GEORGE J. KUCHAR
Elizabeth M Young
NOTARY PUBLIC

APPROVED :

COUNTY BOARD OF MACOUPIN COUNTY, ILLINOIS

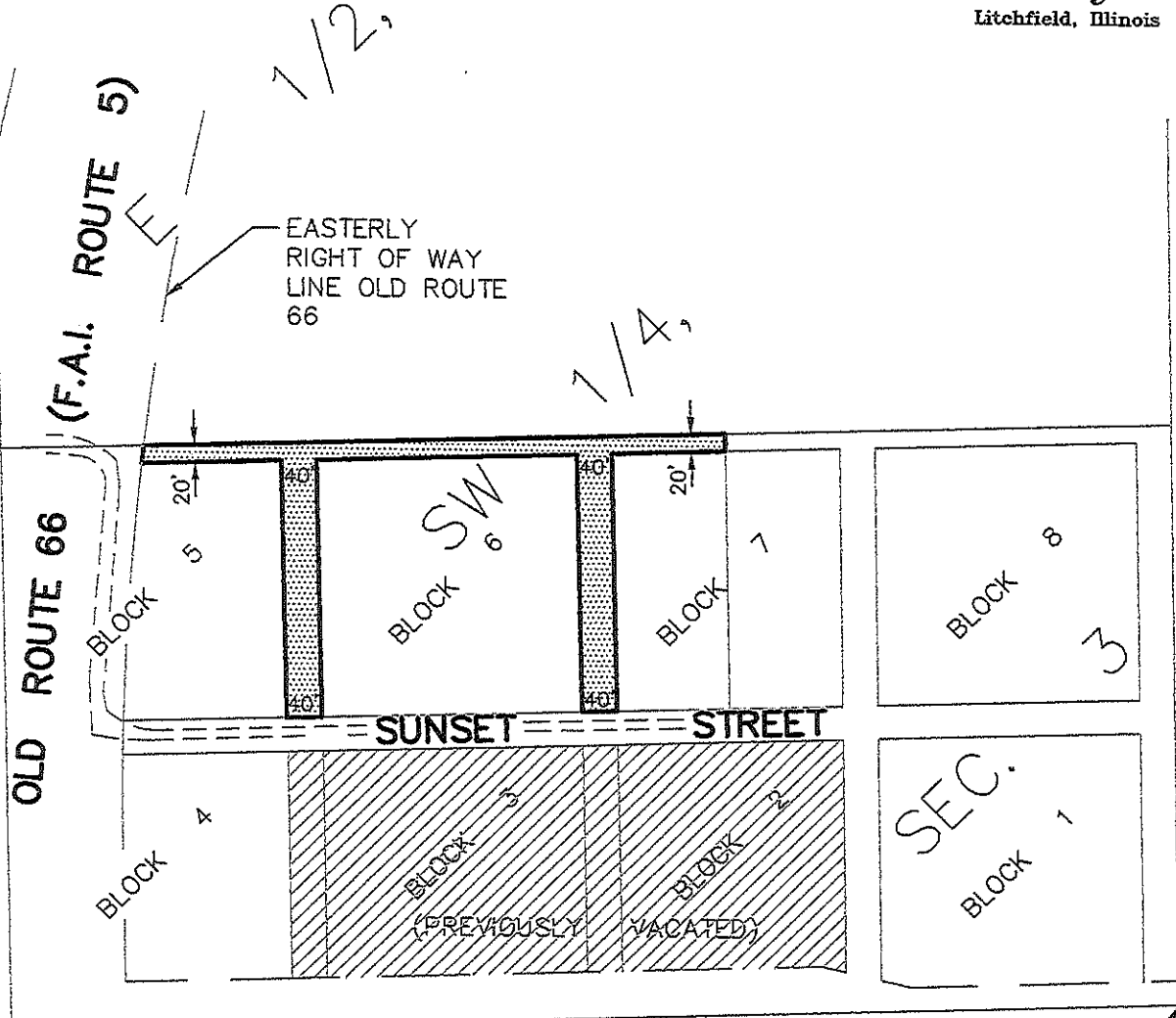
BY : _____

DATE : _____

FOR : George J. Kuchar
P.O. Box 595
Carlinville, Illinois
62626

PLAT OF VACATION
(SEE PAGE 4 FOR LEGAL DESCRIPTION)

Nail Land Surveying
Litchfield, Illinois



SW COR., E 1/2,
SW 1/4, SEC. 3,
T7N, R6W, 3 P.M.

SE COR., SW 1/4,
SEC. 3, T7N, R6W,
3 P.M.

ILLINOIS ROUTE 138

LEGEND



— LIMITS AREA TO BE VACATED

SCALE : 1" = 200'

LEGAL DESCRIPTION

(Pt. Carl Mueller's Subdivision, Macoupin Co., Illinois)

Part of Carl Mueller's Subdivision, Macoupin County, Illinois, being more particularly described as follows:

All that part of the 40 feet wide dedicated right of ways running North and South between Blocks 5, 6 and 7 in said Carl Mueller's Subdivision, beginning at the south line of the said Blocks 5, 6 and 7 and ending at the north line of the said Blocks 5, 6 and 7, AND all that part of the 20 feet wide dedicated right of way running East and West along and adjacent to the north side of said Block 5 that lies east of Old Route 66 (F.A.I. Route 5) and continuing East along and adjacent to the north side of said Block 6 and along and adjacent to the north side of the West Half of said Block 7 and including all that part of the said 20 feet wide dedicated right of way extending across the North and South 40 feet wide dedicated right of ways between the said Blocks 5, 6 and 7.

NO TITLE SEARCH WAS PROVIDED FOR THIS SURVEY WHICH MAY DISCLOSE ANY RECORDS OF EASEMENTS, RIGHT OF WAYS, ENCUMBRANCES, OR ANY OTHER FACTS RELATED TO THIS PROPERTY.

I HEREBY CERTIFY THAT THE DRAWING ON THE ACCOMPANYING PAGE 3 CORRECTLY REPRESENTS AND IDENTIFIES THE AREA AS DESCRIBED ABOVE TO BE VACATED AS PART OF CARL MUELLER'S SUBDIVISION, MACOUPIN COUNTY, ILLINOIS.



LICENSE EXPIRES 11/30/14

Carl J. Nail

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3136

DATE : March 25, 2013