



**CITY OF URBANA, ILLINOIS
DEPARTMENT OF PUBLIC WORKS**

ADMINISTRATION

M E M O R A N D U M

TO: Bruce K. Walden, Chief Administrative Officer

FROM: William R. Gray, P. E., Public Works Director

DATE: August 8, 2002

RE: **An Ordinance Vacating An Alley
(East of University High School and West of Goodwin Avenue)**

INTRODUCTION

The City of Urbana has entered into an agreement with the University of Illinois regarding the vacation of certain rights-of-way in the North Research Park area. The City has recently received a letter from Vice Chancellor Charles C. Colbert (attached), requesting the vacation of the subject alley, which is illustrated as Alley #13 on Exhibit A of the attached agreement.

RECOMMENDATION

Enclosed please find a draft of an ordinance vacating the subject alley. Since the University of Illinois is now the landowner of all property adjacent to both sides of this alley and has requested the alley be vacated, it is recommended that City Council consider approval of the attached ordinance at the Committee of the Whole Meeting on August 12, 2002 for passage at the City Council Meeting on August 19, 2002.

WRG:klf

Attachments:

Draft Ordinance
Letter from Charles C. Colbert
Pages 1 and 2 of Exhibit A, from the "Agreement Concerning Vacation of Certain Rights-of-Way"

ORDINANCE NO. 2002-08-093

AN ORDINANCE VACATING AN ALLEY

(East of University High School and West of Goodwin Avenue)

WHEREAS, The Board of Trustees of the University of Illinois has submitted a request to the City of Urbana asking that a portion of a certain alley be vacated to accommodate the construction of new facilities; and

WHEREAS, The University of Illinois has acquired all of the properties abutting upon the portion of the alley sought to be vacated; and

WHEREAS, the vacation of the portion of the alley described herein will not materially impair access to any property other than that owned by the University of Illinois; and

WHEREAS, the City Council has determined that the nature and extent of the public use or public interest to be subserved is such as to warrant the vacation of the portion of the alley sought herein to be vacated.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That the City Council of the City of Urbana, Illinois, hereby vacates, subject to the terms set forth in this Ordinance, the following-described alley right-of-way:

A portion of the Southeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

All of the public alley in Block 55 of Seminary Addition adjacent to Lots 1, 2, 3, 4, 9, 10, 11 and 12, as shown on a plat recorded in Deed Record Book "Y" at Page 208 in the Office of the Recorder of Deeds, Champaign County, Illinois. Said tract containing 4,356 Square Feet, more or less, all situated in the City of Urbana, Champaign County, Illinois.

And;

All of the public alley in Block 55 of Seminary Addition, not effectively vacated by City of Urbana Ordinance Number 1314-16, adopted March 2, 1914.

Section 2. The City Council of the City of Urbana, Illinois, hereby finds and determines that the public interests will be subserved as a result of this Vacation Ordinance because the nature and extent of the public use or public interests in such alley is such as to warrant the vacation, especially when considering the relief to the public from further burden and responsibility of maintaining the alley right-of-way herein vacated.

Section 3. This Ordinance shall become effective immediately. The Board of Trustees of the University of Illinois owns the parcels which abut upon the alley vacated herein. As owner of the parcels, the Board of Trustees of the University of Illinois, has, in a prior agreement dated October 1, 2001, agreed to pay compensation in the amount which, in the judgment of the corporate authorities, is the fair market value of the property acquired thereby or the benefits accruing to the Board of Trustees of the University of Illinois by reason of this vacation.

Section 4. The title to the vacated right-of-way shall vest in the Board of Trustees of the University of Illinois subject to any easement or easements in favor of the City or others or any public utilities, their successors or assigns, to operate, maintain, renew, and reconstruct their facilities as now existing on, over, or under that part of the right-of-way, unless and until such owners of the land abutting thereon shall cause the rearrangement, removal, or relocation of all said facilities, and shall pay and be responsible for all reasonable costs and expenses as shall be incurred in association therewith.

Section 5. That the City Clerk is directed to record a certified copy of this Ordinance with the Recorder of Champaign County, Illinois.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of three-fourths of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said City Council.

PASSED by the City Council this _____ day of _____,
_____.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____,
_____.

Tod Satterthwaite, Mayor

1

A portion of the Southeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

All of the public alley in Block 50 of Seminary Addition, as shown on a plat recorded in Deed Record Book "Y" at page 208 in the Office of the Recorder of Deeds, Champaign County, Illinois.

Said tract containing 6,534 square feet, more or less, all situated in the City of Urbana, Champaign County, Illinois.

2

A portion of the Southeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

All of the public alley in Block 40 of Seminary Addition, as shown on a plat recorded in Deed Record Book "Y" at page 208 in the Office of the Recorder of Deeds, Champaign County, Illinois.

Said tract containing 6,534 square feet, more or less, all situated in the City of Urbana, Champaign County, Illinois.

3

A portion of the Clark Street Right-of-Way, in the Southeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

All that part of the Clark Street Right-of-Way, lying between the easterly Right-of-Way line of Mathews Avenue (formerly Somers Street) and the westerly Right-of-Way line of Goodwin Avenue (formerly Eads Street), as shown on the plat of Seminary Addition to Urbana, recorded in the Office of the Recorder of Deeds, Champaign County, Illinois, in Deed Record Book Y at page 208. Said Right-of-Way being sixty-six feet (66') in width.

Said tract containing 0.60 acre (26,136 square feet), more or less, all situated in the City of Urbana, Champaign County, Illinois.

4

A portion of the Southeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

All of the public alley in Block 43 of Seminary Addition, as shown on a plat recorded in Deed Record Book "Y" at page 208 in the Office of the Recorder of Deeds, Champaign County, Illinois.

Said tract containing 6,534 square feet, more or less, all situated in the City of Urbana, Champaign County, Illinois.

5

A portion of the Main Street Right-of-Way, in the Southeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

All that part of the Main Street (formerly White Street) Right-of-Way, lying between the easterly Right-of-Way line of Mathews Avenue (formerly Somers Street) and the westerly Right-of-Way line of Goodwin Avenue (formerly Eads Street), as shown on the plat of Seminary Addition to Urbana, recorded in the Office of the Recorder of Deeds, Champaign County, Illinois, in Deed Record Book Y at page 208. Said Right-of-Way being sixty-six feet (66') in width.

Said tract containing 0.60 acre (26,136 square feet), more or less, all situated in the City of Urbana, Champaign County, Illinois.

6

A portion of the Stoughton Street Right-of-Way, in the Southeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

All that part of the Stoughton Street Right-of-Way, lying between the easterly Right-of-Way line of Mathews Avenue (formerly Somers Street) and the westerly Right-of-Way line of Goodwin Avenue (formerly Eads Street), as shown on the plat of Seminary Addition to Urbana, recorded in the Office of the Recorder of Deeds, Champaign County, Illinois, in Deed Record Book Y at page 208. Said Right-of-Way being sixty-six feet (66') in width.

Said tract containing 0.60 acre (26,136 square feet), more or less, all situated in the City of Urbana, Champaign County, Illinois.

7

A portion of the Southeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

All of the public alley in Block 44 of Seminary Addition not previously vacated by City of Urbana Ordinance Number 9394-64, said alley being adjacent to Lots 10, 11 and 12 of Block 44 of Seminary Addition and Lots 27, 28 and 29 of Jonathan N. Houser's Heirs Subdivision of Lots 24 and 25 of M. W. Bussey's Heirs Addition to Urbana.

Said tract containing 3,267 Square Feet, more or less, all situated in the City of Urbana, Champaign County, Illinois.

8

A portion of the Southeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

All of the east-west public alley in the block bounded by University Avenue on the north, Clark Street on the south, Goodwin Avenue on the west and Harvey Street on the east. Said alley being adjacent to Lots 7, 8, 9, 10, 11, 12, 13 and 14 in of Jonathan N. Houser's Heirs Subdivision of Lots 24 and 25 of M. W. Bussey's Heirs Addition to Urbana.

Said tract containing 3,514 square feet, more or less, all situated in the City of Urbana, Champaign County, Illinois.

9

A portion of the Clark Street Right-of-Way, in the Southeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

All that part of the Clark Street Right-of-Way, lying between the easterly Right-of-Way line of Goodwin Avenue (formerly Eads Street) and the westerly Right-of-Way line of Harvey Street, as shown on the plat of Seminary Addition to Urbana, recorded in the Office of the Recorder of Deeds, Champaign County, Illinois, in Deed Record Book Y at page 208. Said Right-of-Way being sixty-six feet (66') in width.

Said tract containing 0.60 acre (26,136 square feet), more or less, all situated in the City of Urbana, Champaign County, Illinois.

10

A portion of the Southeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

All of the public alley in Block 49 of Seminary Addition, said alley being adjacent to Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of Block 49 of Seminary Addition to Urbana, as shown on a subdivision plat recorded in the Office of the Recorder of Deeds, Champaign County, Illinois, in Deed Record Book "Y" at page 208, and Lot 3 of "Hartley's Resubdivision of Hartley's Replat Lots 11 & 12 of Block 49 of Seminary Addition", as shown on a subdivision plat recorded in the Office of the Recorder of Deeds, Champaign County, Illinois, in Plat Book "M" at page 173.

Said tract containing 6,534 Square Feet, more or less, all situated in the City of Urbana, Champaign County, Illinois.

11

A portion of the Stoughton Street Right-of-Way, in the Southeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

All that part of the Stoughton Street Right-of-Way, lying between the easterly Right-of-Way line of Goodwin Avenue (formerly Eads Street) and the westerly Right-of-Way line of Harvey Street, as shown on the plat of Seminary Addition to Urbana, recorded in the Office of the Recorder of Deeds, Champaign County, Illinois, in Deed Record Book Y at page 208. Said Right-of-Way being sixty-six feet (66') in width.

Said tract containing 0.60 acre (26,136 square feet), more or less, all situated in the City of Urbana, Champaign County, Illinois.

12

A portion of the Southeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

All of the public alley in Block 56 of Seminary Addition, as shown on a plat recorded in Deed Record Book "Y" at page 208 in the Office of the Recorder of Deeds, Champaign County, Illinois.

Said tract containing 6,534 square feet, more or less, all situated in the City of Urbana, Champaign County, Illinois.

13

A portion of the Southeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

All of the public alley in Block 55 of Seminary Addition not effectively vacated by City of Urbana Ordinance Number 1314-16, dated March 3, 1914.

Said tract containing 4,356 Square Feet, more or less, all situated in the City of Urbana, Champaign County, Illinois.

14

A portion of the Southeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

All of the public alley in Block 55 of Seminary Addition adjacent to Lots 1, 2, 3, 4, 9, 10, 11 and 12, as shown on a plat recorded in Deed Record Book "Y" at Page 205 in the Office of the Recorder of Deeds, Champaign County, Illinois. Said tract containing 4,356 Square Feet, more or less, all situated in the City of Urbana, Champaign County, Illinois.

And;

All of the public alley in Block 55 of Seminary Addition, not effectively vacated by City of Urbana Ordinance Number 1314-16, adopted March 2, 1914.

Exhibit "A"
Page 2 of 3

Legal Descriptions of proposed Right-of-Way Vacations
North Campus Area
Urbana, Illinois



City of Urbana
Public Works Department
Engineering Division
Date: 07/28/01 Drawn by: BWF

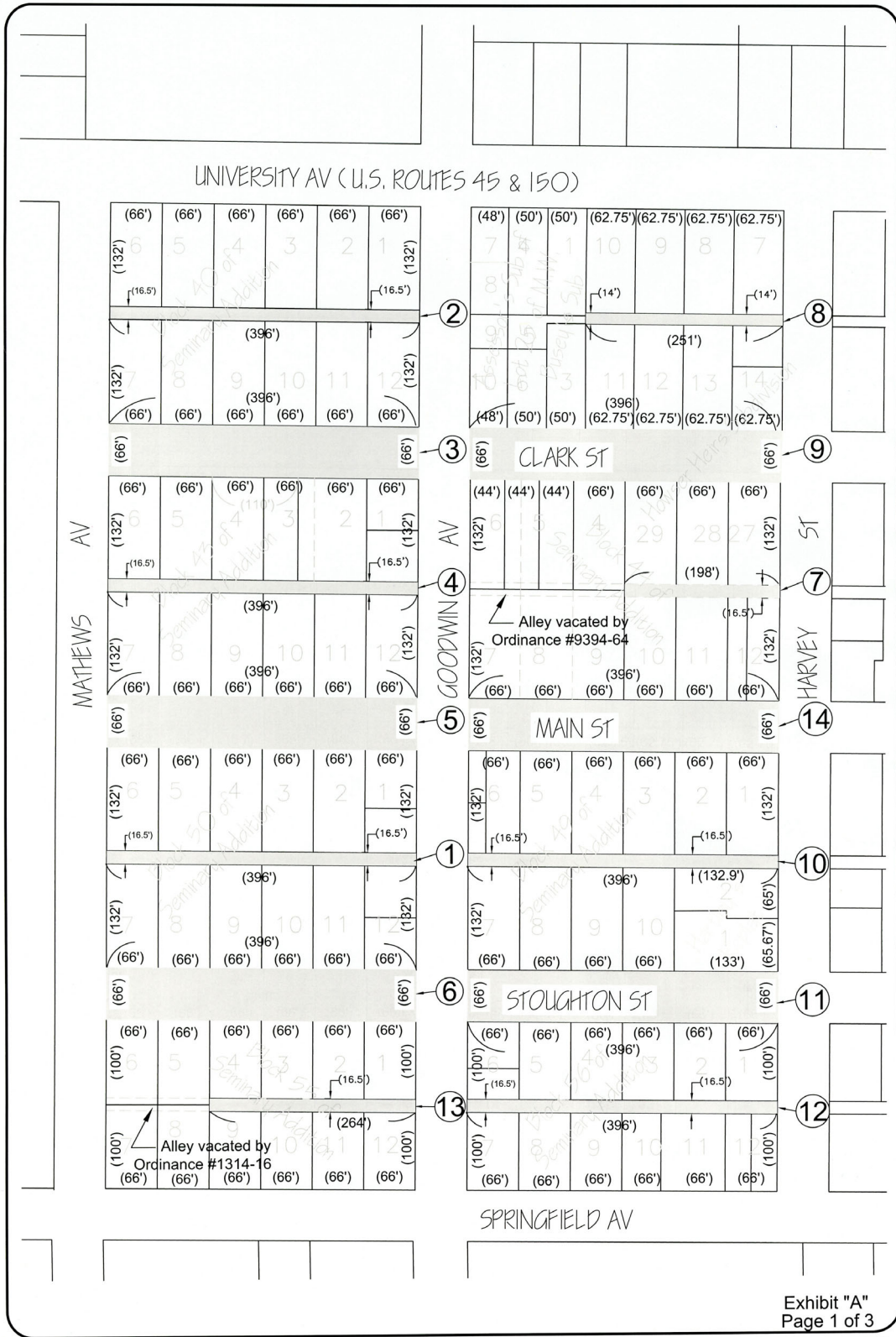


Exhibit "A"
Page 1 of 3