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5657-45

AN ORDINANCE VACATING AN ALLEY

WHEREAS, the abutting property owners have by proper petition addressed to the City Council of the City of Urbana, Illinois, requested the vacation of the hereinafter described portion of Goose Alley between Broadway and Walnut streets in the City of Urbana, Illinois, and

WHEREAS, three-fourths of all of the Aldermen of the City of Urbana authorized by law to be elected have determined that the public interest will be subserved by vacating said portion of said alley.

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

SECTION 1. The City Council of the City of Urbana, Illinois hereby vacates that portion of Goose Alley between Broadway and Walnut streets in the City of Urbana, Illinois, described/as follows, to-wit:

Commencing at the Northwest corner of Lot 28 of the Original Town of Urbana, thence East on the North line of said lot extended a distance of 64.625 feet, thence North 12 feet to the South line of Lot 9 of the Original Town of Urbana, thence West on the South line of the said Lot 9 extended 64.625 feet to the Southwest corner of Lot 8 of said Original Town of Urbana, thence South 12 feet to the point of beginning, situated in the City of Urbana, County of Champaign, Illinois,

and the title to the land included within said portion of said alley so vacated shall vest in the then owners of the property abutting on said portion of said alley when and if there is full compliance by such property owners with the provisions of Section 2 of this Ordinance within the time specified therein.

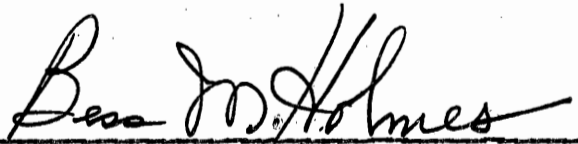
SECTION 2. The vacation of said portion of said alley and the vesting of title to the land included within the same in the owners of the land abutting thereon shall not become effective until the owners of all of the property abutting upon said portion of said alley on each side thereof shall file within two (2) years of this date in the office of the City Clerk of the City of Urbana a verified certificate certifying that a contract has been let for the construction of a new building on the entire portion of the alley being vacated, said building to extend on the land North of said portion of said alley and to be used in conjunction with

and as an extension of the building presently occupied by Montgomery Ward and Company on land South of said portion of said alley.

SECTION 3. The City of Urbana, Illinois hereby reserves an easement upon and under said portion of said alley for the maintenance and repair of all sewers and drains which are located under the surface of said portion of said alley and such vacation and the use of the vacated portion of said alley shall create an obligation on the part of the abutting owners to reimburse the City of Urbana for any damages caused to said sewers or drains resulting from their use of said portion of said alley.


SECTION 4. The vesting of title in the portion of the alley so vacated in the abutting property owner or owners shall be subject to an easement to all public utilities, their successors and assigns to operate, maintain, renew and reconstruct their facilities affected by this vacation as now operated and maintained in, over or under the portion of the alley vacated unless the said abutting property owner or owners shall compensate the said utilities for such reasonable expense as shall be incurred by said utilities in connection with the rearrangement, removal or relocation of said facilities, this body having determined that it is both necessary and desirable for the public interest that the public service of all said public utilities be continued by means of said facilities.

ADOPTED by an affirmative vote of three-fourths of the elected Aldermen of the City Council of the City of Urbana, Illinois, this 18th day of March, A. D. 1957.



City Clerk

APPROVED by the Mayor this 18th day of March, A. D. 1957.



Mayor