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5960-16

AN ORDINANCE VACATING A PORTION OF AN ALLEY

WHEREAS, in 1957 the abutting property owners filed a proper petition addressed to the City Council of the City of Urbana, Illinois, requesting the vacation of the hereinafter described portion of Goose Alley between Broadway and Walnut Streets in the City of Urbana, Illinois; and

WHEREAS, the City Council of the City of Urbana, Illinois did adopt an ordinance on March 18, 1957 vacating said portion of Goose Alley, which said ordinance was not to become effective until a certificate was filed certifying that a contract had been let for the construction of a new building, all as provided by said ordinance adopted on March 18, 1957; and

WHEREAS, the City Council of the City of Urbana, Illinois did adopt an ordinance on March 16, 1959 extending for ninety days from the date of the adoption of said ordinance the time for the filing of the certificate that a contract had been let for the construction of a new building, all as provided by said ordinance adopted on March 18, 1957; and

WHEREAS, the owners of the land abutting said portion of Goose Alley are in serious negotiations with a prospective tenant for the leasing and occupancy of said new building, and additional time will be needed for said parties to consummate their arrangements; 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 interests 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 and bounded 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 vest in the owners of the property abutting on said portion of said alley.

SECTION 2. The vacation of said portion of said alley and the vesting of the title to the land included within the same in the owners of the land abutting thereon shall not become effective until a verified certificate is filed within sixty days from this date, certifying that a contract has been let for the construction of a new building on the entire portion of said vacated portion of said alley and as an extension of the building presently occupied by Montgomery Ward and Company on land south and adjacent to the 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.

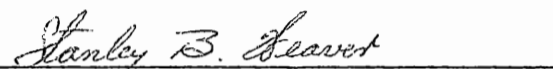
SECTION 4. The vesting of title in the portion of the alley so vacated in the abutting property owner or owners shall be subject to an easement to all public utilities, their successors and assigns to operate, maintain, renew and reconstruct their facilities affected by this vacation as now operated 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 all of the aldermen of the City of Urbana, authorized by law to be elected to the City Council of the City of Urbana, Illinois, this 15th day of June, 1959.



City Clerk

APPROVED by the Mayor this 15th day of June, 1959.



Mayor