

ORDINANCE NO. _____

ORDINANCE VACATING A PORTION OF BERKLEY AVENUE
IN THE CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS

BE IT ORDAINED by the Mayor and City Council of the City of Urbana, Champaign County, Illinois, as follows:

SECTION I: That the Mayor and City Council of the City of Urbana, Champaign County, Illinois, have determined that that portion of Berkley Avenue, hereinafter described, over which said City has jurisdiction, is no longer required or needed by said City for street purposes, and that the public interest will be subserved by vacating the same.

SECTION II: That subject to the conditions hereinafter stated the following described portion of the said Berkley Avenue, in the City of Urbana, Illinois, be and the same is hereby vacated, to-wit:

Beginning at the Northeast corner of Lot 24 in Block 22 in the Urbana Heights Addition to the City of Urbana, Champaign County, Illinois, thence East to the Northwest corner of Lot 25 in Block 21 of said Subdivision; thence South and along the West line of Lots 25, 26, 27, 28, 29 and 30, all in Block 21 of said Subdivision, to a point 42 feet North of the Southwest corner of Lot 30 in Block 21 of said Subdivision; thence West to a point 42 feet North of the Southeast corner of Lot 19 in Block 22 of said Subdivision; thence North along the East line of Lots 19, 20, 21, 22, 23 and 24 in Block 22 of said Subdivision, to the place of beginning, all situated in the City of Urbana, Champaign County, Illinois.

CONDITIONS OF VACATION:

1. The School District shall cause to be dedicated for public street purposes the South 42 feet of Lot 19 in Block 22 of Urbana Heights Addition; the South 42 feet of the East 41 feet of Lot 6 aforesaid, and the South 31 feet of all of Lot 6 aforesaid, except the East 41 feet of said Lot 6, together with that portion of the vacated alley between the South 42 feet of Lots 6 and 19 aforesaid.

2. The School District shall cause to be constructed within the new portions so dedicated a pavement having a width of 30 feet as to the 31 foot portion, and of 37 feet as to the 42 foot portion, back to back of curb and meeting the minimum pavement surface requirements of the existing subdivision ordinances of the City of Urbana. A widening of the existing driveway pavement plus installation of curbing along the entire length of the dedicated parcels is included in such provisions.

3. The existing fence from the area to be dedicated is to be re-installed or replaced along the North edge of the newly dedicated portion. Such fence need not be longer than the existing fence.

4. Parking is to be permitted on both sides of the improved street within the 42 foot dedicated width and on one side on the portion of 31 foot dedicated width. No parking will be permitted within 25 feet of Broadway Avenue. Pavement to be constructed by the School District and signs indicating a limited outlet are to be erected by the City.

5. The existing driveway turn-out at Broadway which is to be included within the new street is to be widened to the South to facilitate turning movements off Broadway.

6. The School District is to construct a sidewalk at least 183 feet long, measured from Berkley Avenue, 4 feet wide adjacent to and immediately North of the 37 foot pavement which is to be used by school patrons and the general public. The paved portion of the street to be dedicated by the School District is 42 feet and the paved portion of the sidewalk is to be 4 feet, making the total amount of dedication out of Lot 19 and part of Lot 6 aforementioned to be 42 feet.

7. The newly dedicated land shall be vacated and returned to the School District at such time as the School District may provide alternate vehicular turn around facilities at the end of Berkley Avenue meeting the then minimum requirements of the subdivision ordinance, all at no cost to the School District.

8. An existing sidewalk along Berkley Avenue or an alternate sidewalk to be constructed by the Board of Education along the general route of Berkley Avenue shall continue to be available, which shall be maintained by the City for public use.

9. A balance sheet shall be established indicating the amount of land dedicated to the City of Urbana by the School District and the amount of land vacated to the School District by the City of Urbana.

SECTION III: That the title to said vacated tract shall vest in the present owners of the land abutting and adjoining the aforementioned vacated tract.

SECTION IV: That the rights, interest and title of any public service companies, electric, gas, telephone, water and city sewers, drains and utilities in and to said vacated premises are hereby reserved unto such public service companies. The vacated premises shall not be used for construction of buildings without relocation of utilities.

SECTION V: That this ordinance shall be in full force and effect upon its adoption, passage and publication as provided by law.

PASSED this 6th day of October, 1969, by an affirmative vote of at least three-fourths of all City Council members holding office in this City.

AYES 13 NAYS 1

Charles M. Gippert
Mayor

ATTEST: Duane E. Kelly
City Clerk

(SEAL)