

AN ORDINANCE VACATING A PORTION OF AN ALLEY

WHEREAS, three-fourths of the Aldermen of the City of Urbana, Illinois, authorized by law to be elected, have determined that the public interests, and the best interests of the City of Urbana, Illinois, will be served by vacating the portion of the alley as hereinafter described;

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

The City Council of the City of Urbana, Illinois, hereby vacates that part of Mulberry Alley between Busey Avenue and Coler Avenue, in said City, and located, and more particularly described, as follows:

Commencing on the East line of Busey Avenue, at the southwest corner of Lot 9, of M.W. Busey's Heir's Addition, thence eastward along the south lines of Lots 9 and eight of said Addition, to the southeast corner of said Lot 8, at the west line of Coler Avenue, thence southward, along the west line of said Coler Avenue to the northeast corner of Lot 7 of said Addition, thence westerly along the north lines of Lots 7 and 10 of said addition, to the northwest corner of said Lot 10 at the east line of said Busey Avenue, thence northerly along the east line of said Busey Avenue to the southwest corner of said Lot 9, the point of beginning; situated in the City of Urbana, Champaign County, and the State of Illinois; said portion of said alley being the part of said east-west alley between Busey Avenue and Coler Avenue, and which is also south of University Avenue and north of Clark Street, in said City;

and the title of the land included in said alley, so vacated, shall vest in the owners of the property abutting on said alley.

The City Council of said City herewith determines that the relief to the public from further responsibility and maintenance in regard to said part of said alley constitutes a public interest in regard to this ordinance.

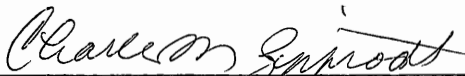
The City of Urbana, Illinois, hereby reserves the easements in, on, and under said alley for the maintenance and repair of all sewers and drains, and all public service facilities which are located in, on or under the surface of any part of said alley, and such vacation and use of the vacated alley shall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

Vesting of title in the alley so vacated in the abutting property owners shall be subject to easements to all public utilities, their successors, and assigns, to operate, maintain, and renew and reconstruct, their facilities affected by the vacation, unless the said abutting property owners shall compensate the said public utilities in connection with the rearrangement, removal or relocation of said utilities, these corporate authorities having determined that it is both necessary and desirable for the public interests, that the public service of all said public utilities be continued, by means of said facilities.

Adopted by more than the affirmative vote of three-fourths of the elected aldermen of the City of Urbana, Illinois, and so duly adopted by the City Council of said City, unanimously, this 1st day of December, 1969.

  
City Clerk

Approved by the Mayor of the City of Urbana, Illinois, this 1st day of December, 1969.

  
Mayor

STATE OF ILLINOIS  
CHAMPAIGN COUNTY  
CITY OF URBANA

I, Duane Eckerty, City Clerk of the City of Urbana, Illinois, and keeper of the records, files, and seal of said City, do hereby certify that the attached document is a true and exact copy of an ordinance entitled, AN ORDINANCE VACATING A PORTION OF AN ALLEY, adopted by the City Council of the City of Urbana, Illinois, on the 1st day of December, 1969, as shown in the records and files in my office remaining; there being present and voting in favor of said ordinance were:

Aldermen, Carter, Dart, Gentry, Hensler, Hoag, Paley, Phebus, Shurts, Stake, Walden, and Wyld; Aldermen Beaumont, Johnson, and Reinhardt, were absent from the meeting.

Said ordinance was approved by the Mayor on the 1st day of December, 1969, as appears from the records and files in my office remaining.

Given under my hand and seal of said City of Urbana, Illinois, this 17<sup>th</sup> DAY of December, 1969.

  
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City Clerk

(Municipal Seal)

