

Recording Cover Sheet

ORDINANCE NO. 7677-99

AN ORDINANCE VACATING A PUBLIC ALLEY (IN
BUSEY – CHURCH – COLER – PARK STREETS
BLOCK)

2018R15778

REC ON: 09/10/2018 09:01:16 AM

CHAMPAIGN COUNTY

MARK SHELDEN

REC FEE: 51.00

RHSPS Fee:

REV FEE:

PAGES 4

PLAT ACT: 0 PLAT PAGE:

Prepared for recording by:

Daniel A. Rothermel, Land Surveyor

706 South Glover Avenue, Urbana, IL 61802

Return to:

Charles A. Smyth, City Clerk
City of Urbana
400 S. Vine Street
Urbana, IL 61801

AN ORDINANCE VACATING AN ALLEY

WHEREAS, on February 11, 1977, the abutting property owners of a certain alley filed a proper petition addressed to the City Council of the City of Urbana, Illinois, requesting the vacation of said alley, to wit, all that portion of the alley which lies between Busey and Coler Streets on the east and west and between Church and Park Streets on the north and south, all within the City of Urbana; and

WHEREAS, the City Council of the City of Urbana, Illinois, has determined that it is in the best interest of the City of Urbana to vacate said alley; and

WHEREAS, the City of Urbana has determined that said vacation shall be completed in accordance with the provisions of Resolution 7475-R19, entitled "Resolution Regarding Policy on Vacation of Alleys", which was passed by the City Council on the 3rd day of September, 1974; and

WHEREAS, the City of Urbana, Illinois, has determined that it is in the best interest of the City to retain certain easements, covenants and restrictions as to the use of said alley as hereinafter described.

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 conditions set forth in this Ordinance, all that portion of the alley which lies between Busey and Coler Streets on the east and west and between Church and Park Streets on the north and south, more specifically described as:

"Lots 1 - 10 of M. W. and G. W. Busey's
Subdivision or Lot 'D' and part of
Lot 'B' of Busey's Survey in the City
of Urbana, County of Champaign, Illinois",

an area which is 12 feet in width and 276 feet in length.

Section 2: The City of Urbana, Illinois, hereby reserves an easement under and upon the real estate described in Section 1 for the maintenance and repair of all public sewers and drains which are now located under the surface of said alley and the owners of

abutting real estate shall reimburse the City of Urbana for any damages resulting to said sewers or drains from their use of the real estate described in Section 1.

Section 3: Title to the land described in Section 1 shall vest in the adjoining landowners subject to any easement or easements in favor of public utilities, their successors or assigns, to operate, maintain, renew and reconstruct their facilities as now existing over or under said alley, this corporate body having determined that it is both necessary and desirable for the public interests that the services of said public utilities be continued by means of such facilities.

Section 4: Any and all retained reservations for easements in, over, under and to said alley by the City of Urbana, Illinois, shall be released by the City of Urbana upon notification and verification to said City that Carle Foundation Hospital and Carle Clinic Association together with any other owner or owners has properly completed the rearrangement and relocation, at the cost to Carle Foundation Hospital and Carle Clinic Association and any other owners, of sewer lines in said area to comply with any future proposed plans for construction of buildings on said premises and in compliance with all City Codes. Any such new sewer lines shall be relocated through Park Street between Busey and Coler Streets.

Section 5: That the City Council of the City of Urbana, Illinois, finds and determines that \$1,075.00 is the amount of money which is equal to the benefits which will accrue to the owners of the abutting properties by reason of this vacation ordinance; and this ordinance shall not be effective until payment of such sum has been duly made to the Clerk of the City of Urbana, Illinois.

Section 6: This ordinance is hereby passed at a regular meeting of the City Council by the affirmative vote of three-fourths (3/4) vote of the aldermen and alderwomen holding office who did not abstain from voting on this ordinance, all in accordance with Ordinance No. 7374-61 of the City of Urbana, Illinois, heretofore adopted and in effect.

PASSED by the City Council this ^{Be} ~~4th~~ ^{30th} day of April, 1977.

Duane Eckerty, City Clerk
Duane Eckerty, City Clerk
Dorothy M. Umbarger, Deputy Clerk

APPROVED by the Mayor this ³⁰ day of April, 1977.

Hiram Paley, Mayor
Hiram Paley

Proposed Alley Vacation
east/west alley bordered by:
Church Street, Park Street,
Lincoln Avenue, Busey Avenue
Area of ROW 2,376 S.F. (0.05 A)

Proposed Street Vacation
PARK STREET
East ROW of Lincoln Avenue to
East ROW of Coler Avenue
Area of ROW 67,056 S.F. (1.54 A)

Proposed Street Vacation
BUSEY AVENUE
South ROW of Church Street to
North ROW of University Avenue
Area of ROW 34,776 S.F. (0.80 A)

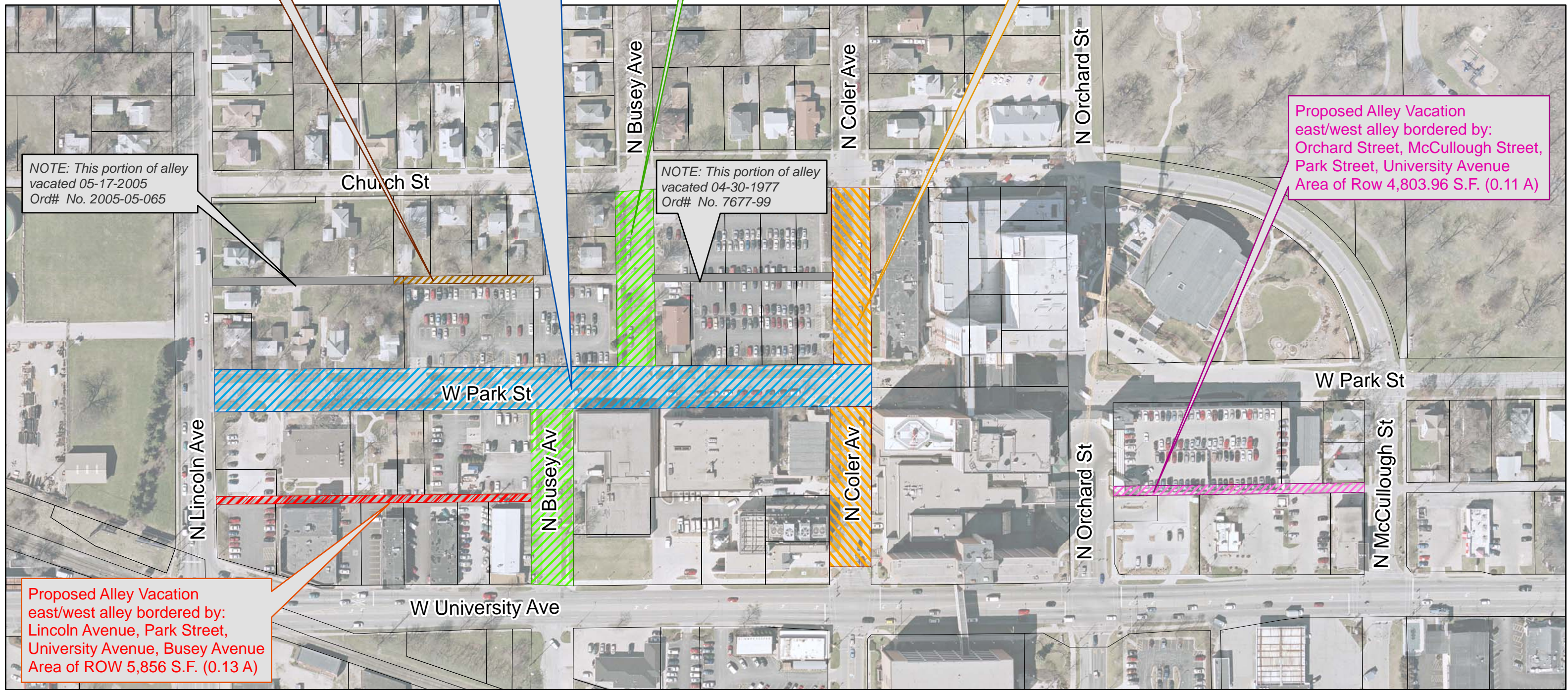
Proposed Street Vacation
COLER AVENUE
South ROW of Church Street to
27' North of North ROW of University Avenue
Area of ROW 32,994 S.F. (0.76 A)

NOTE: This portion of alley
vacated 05-17-2005
Ord# No. 2005-05-065

NOTE: This portion of alley
vacated 04-30-1977
Ord# No. 7677-99

Proposed Alley Vacation
east/west alley bordered by:
Orchard Street, McCullough Street,
Park Street, University Avenue
Area of Row 4,803.96 S.F. (0.11 A)

Proposed Alley Vacation
east/west alley bordered by:
Lincoln Avenue, Park Street,
University Avenue, Busey Avenue
Area of ROW 5,856 S.F. (0.13 A)



Proposed Street and Alley Vacations
Carle Campus Urbana, IL
Total Proposed ROW Vacation = +/- 3.39 Acres

100 50 0 100 Feet
Date of aerial photography: April 2005
Date of print: July 25, 2007 (PLS)