

ORDINANCE NO. 7778-13

AN ORDINANCE VACATING
A PORTION OF COLLEGE PLACE

WHEREAS, a proper Petition addressed to the City Council of the City of Urbana, Illinois, has been filed requesting the vacation of a public street known as College Place; and

WHEREAS, the City Council of the City of Urbana, Illinois, has determined that the public interest will be subserved by vacating College Place; and

WHEREAS, the City Council of the City of Urbana, Illinois, has determined that College Place shall be vacated in accordance with the provisions of Resolution No. 7475-R19, entitled "Resolution Regarding Policy on Vacation of Alleys, City of Urbana, Illinois"; and

WHEREAS, the City Council of the City of Urbana, Illinois, has determined that it is in the best interests of the City to retain easements in College Place as hereinafter described.

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

Section 1: The City Council of the City of Urbana, Illinois, hereby vacates, subject to the terms set forth in this Ordinance, that portion of College Place which is more specifically described as follows:

All of that portion of College Place, except the West twenty-two (22.0) feet thereof, lying South of the South boundary of Lots 4, 5, & 6 of a Subdivision of the North part of Outlot 1 of Hooper and Parks Addition of Outlots to the City of Urbana, Illinois, and the West fifteen (15) feet of Lot 3 and the vacated alley lying between Lots 3 & 4 of said subdivision, and also lying North of the North boundary of Lots 1, 2, & 3 of a Subdivision of the South part of Outlot 1 of Hooper and Parks Addition of Outlots to the City of Urbana, Illinois, and the vacated alley lying between Lots 3 & 4 of said subdivision, all situated in Champaign County, Illinois.

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 College Place 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 College Place, 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: The City Council of the City of Urbana, Illinois, finds and determines that \$19,354.17 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 made to the Clerk of the City of Urbana, Illinois.

Section 5: This ordinance shall not be effective until an easement for ingress and egress from the Champaign National Bank as Trustee under Land Trust #030-201-008 shall be granted to and accepted by Robert P. Pope, his heirs, or assigns.

Section 6: This Ordinance is hereby passed at a regular meeting of said City Council by the affirmative vote of three-fourths (3/4ths) vote of the aldermen and alderwomen holding office who did not abstain from voting on this Ordinance, all in accordance with Ordinance #7374-61 of the City of Urbana, Illinois, heretofore adopted and in effect.

PASSED by the City Council of the City of Urbana, Illinois, this 15th day of August, 1977.

Duane Eckerty, City Clerk
Beverly Umbarger, Deputy Clerk

APPROVED by the Mayor of the City of Urbana, Illinois, this 18th day of August, 1977.

Jeffrey T. Markland, Mayor

On behalf of the City, the City Clerk hereby acknowledges receipt of \$19,354.17 this date: May 16, 1978 Duane Eckerty
CITY CLERK

AN ORDINANCE VACATING
A PORTION OF COLLEGE PLACE

WHEREAS, a proper Petition addressed to the City Council of the City of Urbana, Illinois, has been filed requesting the vacation of a public street known as College Place; and

WHEREAS, the City Council of the City of Urbana, Illinois, has determined that the public interest will be subserved by vacating College Place; and

WHEREAS, the City Council of the City of Urbana, Illinois, has determined that College Place shall be vacated in accordance with the provisions of Resolution No. 7475-R19, entitled "Resolution Regarding Policy on Vacation of Alleys, City of Urbana, Illinois"; and

WHEREAS, the City Council of the City of Urbana, Illinois, has determined that it is in the best interests of the City to retain easements in College Place as hereinafter described.

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

Section 1: The City Council of the City of Urbana, Illinois, hereby vacates, subject to the terms set forth in this Ordinance, that portion of College Place which is more specifically described as follows:

All of that portion of College Place, except the West twenty-two (22.0) feet thereof, lying South of the South boundary of Lots 4, 5, & 6 of a Subdivision of the North part of Outlot 1 of Hooper and Parks Addition of Outlots to the City of Urbana, Illinois, and the West fifteen (15) feet of Lot 3 and the vacated alley lying between Lots 3 & 4 of said subdivision, and also lying North of the North boundary of Lots 1, 2, & 3 of a Subdivision of the South part of Outlot 1 of Hooper and Parks Addition of Outlots to the City of Urbana, Illinois, and the vacated alley lying between Lots 3 & 4 of said subdivision, all situated in Champaign County, Illinois.

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 College Place 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 College Place, 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: The City Council of the City of Urbana, Illinois, finds and determines that \$19,354.17 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 made to the Clerk of the City of Urbana, Illinois.

Section 5: This ordinance shall not be effective until an easement for ingress and egress from the Champaign National Bank as Trustee under Land Trust #030-201-008 shall be granted to and accepted by Robert P. Pope, his heirs, or assigns.

Section 6: This Ordinance is hereby passed at a regular meeting of said City Council by the affirmative vote of three-fourths (3/4ths) vote of the aldermen and alderwomen holding office who did not abstain from voting on this Ordinance, all in accordance with Ordinance #7374-61 of the City of Urbana, Illinois, heretofore adopted and in effect.

PASSED by the City Council of the City of Urbana, Illinois, this 15th day of August, 1977.

Duane Eckerty, City Clerk
 Duane Eckerty, City Clerk
 Beverly Umbarger, Deputy Clerk

APPROVED by the Mayor of the City of Urbana, Illinois, this 18th day of August, 1977.

Jeffrey T. Markland, Mayor
 Jeffrey T. Markland, Mayor

On behalf of the City, the City Clerk hereby acknowledges receipt of \$19,354.17 this date: May 16, 1978 Duane Eckerty
 CITY CLERK

The Grantor, THE CHAMPAIGN NATIONAL BANK, a Corporation of Illinois, as Trustee under the provisions of a Deed or Deeds in Trust, duly recorded and delivered to said company in pursuance of a Trust Agreement dated the 29th day of March, 1973, and known as Trust No. 030-201-008, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration and hand paid, grants, bargains and conveys to the Grantees, ROBERT P. POPE and BARBARA G. POPE, of the City of Champaign, County of Champaign, State of Illinois, their tenants, heirs and assigns, an easement of ingress and egress, with or without vehicles of any description, for the purpose of maintaining, repairing and keeping the real estate of Grantees described as:

The West Fifteen (15) Feet of a parcel described as the South Fifty-two (52) feet of Lot Three (3) and the East half of the vacated alley between Lots Three (3) and Four (4) of a Subdivision of the North part of Outlot One (1) of Hooper and Parks Addition of Outlots to the City of Urbana, Illinois, situated in Champaign County, Illinois;

and also described as:

The West 9.06 feet of the South 52 feet of Lot 3, and the South 52 feet of the East half of the vacated alley lying between Lots 3 and 4, of a Subdivision of the North part of Outlot 1 of Hooper and Parks Addition of Outlots to the City of Urbana, Illinois, situated in Champaign County, Illinois,

and for the futher purposes of maintaining, repairing, removing, rebuilding, or keeping Grantees' real estate and any improvements or fixtures located thereon to the extent desired or deemed necessary by Grantees, their tenants, heirs and assigns, said easement to be over and along the following described real estate of the Grantor:

The East 10 feet of Lot 4 of a Subdivision of the North part of Outlot 1 of Hooper and Parks Addition of Outlots of the City of Urbana, Illinois; the vacated alley lying between Lots 3 and 4 of said Subdivision; and, the West 25 feet of Lot 3 of said Subdivision (excepting the portion thereof owned by Grantees as described above); and 30 feet North and 10 feet South of the center line of that portion of College Place, being a vacated street, lying South of the following three parcels: the West 25 feet of Lot 3 of said Subdivision, the vacated alley lying between Lots 3 and 4 of said Subdivision, and the East 10 feet of Lot 4 of said Subdivision; together with 10 feet North and 10 feet South of the center line of that portion of College Place, being a vacated street, lying South of the South boundaries of the following parcels of real estate: Lot 4, except the East 10 feet thereof, Lot 5, and Lot 6, of said Subdivision; situated in Champaign County, Illinois.

It is the intent of Grantor to allow access to Grantees' real estate from either Race Street across the center 20 feet of College Place or from University Avenue.

In the event said College Place is or shall be closed to motor vehicle traffic, then and in that event, Grantor hereby grants an easement of ingress and egress to Grantees, their tenants, heirs and assigns, to use the "curb cuts" located on the North sides of Lots 3 and 4, respectively, at University Avenue, for use in driving Grantees' vehicles to the above described easement. Neither party shall use the curb cut access route in any manner that will impair the rights of others to use them nor shall they obstruct the passages thereof.

The Easement granted herein shall be an Easement appurtenant to the above described property of Grantees and for all purposes shall be construed as one which runs with the land;

An Ordinance vacating a Portion of College Place, and adopted by the City Council of the City of Urbana, Illinois, on August 15, 1977.

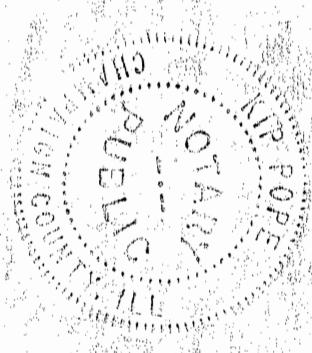
Dated this 15th day of May, 1978.

Robert P. Pope
ROBERT P. POPE

STATE OF ILLINOIS)
) SS:
COUNTY OF CHAMPAIGN)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that ROBERT P. POPE, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 15th day of May, 1978.



Robert P. Pope
Notary Public

This Instrument Prepared By:

SAM ERWIN, LTD.
J. Michael Kirtley, Of Counsel
501 West University Avenue
P. O. Box 1676
Champaign, Illinois 61820
Telephone: (217) 351-4040