

AN ORDINANCE AMENDING CERTAIN ORDINANCES
PREVIOUSLY VACATING PORTIONS OF A STREET AND CERTAIN ALLEYS

WHEREAS, the City Council has previously vacated the following portion of a street and portions of certain alleys in and around Mercy Hospital in the City of Urbana, Illinois, by the following Ordinances hereinafter described:

Ordinance No. 5657-4, entitled, "An Ordinance Vacating an Alley", which was passed by the City Council on May 1, 1956, and approved by the Mayor on May 1, 1956, vacating an alley which runs east and west through Block 37 of Seminary Addition from Romine Street to Wright Street in the City of Urbana and which is more particularly described as follows:

Commencing at the Northwest (NW) corner of Lot Seven (7) of Block Thirty-seven (37) of Seminary Addition to the City of Urbana, thence North Sixteen Feet Six inches (16.5') thence East to Romine Street, thence South Sixteen Feet Six inches (16.5') to the Northeast corner (NE) of Lot Twelve (12) of Block Thirty-seven (37) of said Addition, thence West to the place of beginning, all situated in the City of Urbana, County of Champaign, and State of Illinois.

Ordinance No. 6364-34, entitled, "An Ordinance Vacating a Portion of an Alley", which was passed by the City Council on October 7, 1963, and approved by the Mayor on October 7, 1963, vacating a portion of an alley which runs east and west through Block 36 of Seminary Addition from Mathews Avenue to Romine Street and which is more particularly described as follows:

Commencing at the Southeast corner of Lot Three (3) of Block 36 of Seminary Addition to Urbana; thence Westerly along the South lines of Lots Nos. Three (3), Four (4), and Five (5) of said Block 36, to the Southwest corner of Lot No. Five (5) of said Block 36; thence Southerly along the East line of Romine Street to the Northwest corner of Lot No. Six (6) of said Block 36; thence Easterly along the North lines of Lots Six (6), Seven (7), and Eight (8)

of said Block 36, to the Northeast corner of Lot Eight (8) of said Block 36; thence Northerly to the Southeast corner of said Lot Three (3), the point of beginning;

situated in the City of Urbana, Champaign County, and the State of Illinois.

Ordinance No. 7879-81, entitled, "An Ordinance Vacating a Portion of Romine Street", which was passed by the City Council on March 19, 1979, and approved by the Mayor on April 2, 1979, vacating a portion of Romine Street which runs from Park Street to the southerly right-of-way line of the Norfolk and Western Railway and which is more particularly described as follows:

That portion of Romine Street lying Southerly of the Southerly right-of-way line of the Norfolk and Western Railway and Northerly of the Southerly lines of Blocks 36 and 37 of the Seminary Addition to Urbana as recorded in Record of Deeds Book "Y" page 208 in the Office of the Recorder of Deeds of Champaign County, Illinois.

Ordinance No. 7879-89, entitled, "An Ordinance Vacating a Portion of a City Alley in Block 36", which was passed on April 16, 1979, and approved on April 20, 1979, vacating the remaining portion of an alley which runs east and west through Block 36 of Seminary Addition from Mathews Avenue to Romine Street and which is more particularly described as follows:

That portion of public alley in said Block 36 lying easterly of the westerly lines of Lots 2 and 9 of said Block 36 of said Seminary Addition to Urbana, containing 0.050 acres more or less in public alley in Block 36;

and

WHEREAS, each of the above-described Ordinances variously reserved to the City of Urbana and/or to public utilities, as the case may be, owning such facilities, such property rights by way of easements as were individually deemed necessary or desirable by the City Council for continuing public service by means of those facilities and for the maintenance, renewal and reconstruction thereof; and

WHEREAS, Mercy Hospital, a not for profit corporation of the State of Illinois and the then owner of the land abutting that portion of a street and various portions of alleys as herein above-described, has now duly requested the City Council to vacate and release all such reserved easements.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

That the Vacating Ordinances, otherwise herein identified as Ordinance Nos. 5657-4, 6364-34, 7879-81 and 7879-89, be and the same are hereby amended by including the following additional provisions to the terms thereof:

Subject to the terms and conditions as set forth herein, the City Council of the City of Urbana hereby releases all right, title and interest of the City of Urbana to any and all reserved easements for the maintenance and repair of all public sewers and drains as well as electrical conduit, and to any easement or easements in favor of public utilities, their successors or assigns, to operate, maintain, renew and reconstruct their facilities.

Before any such release of reserved easements shall become effective, Mercy Hospital, a not for profit corporation of the State of Illinois and the owner of the lands abutting that portion of a street or an alley herein so vacated, shall:

1. Relocate or cause to be relocated, at its own sole cost and expense, all City of Urbana public sewers and electrical conduit as may now be located therein. Any such relocation, together with any and all improvements and resurfacing made or required in connection therewith, shall be subject to the prior approval of the City Engineer or City Electrician, as appropriate, of the City of Urbana, and shall be constructed in conformance with Standard Specifications for Water and Sewer Main Construction in Illinois, 3rd Edition, September, 1978, Standard Specifications for Road and Bridge Construction, Latest Edition, and all applicable Ordinances, Rules and Regulations of the City of Urbana. Upon finding that the relocation has been completed in substantial conformance with this Ordinance and the approved plans and specifications, the City Engineer

shall prepare a certificate of completion, which said certificate shall make this release of reserved easements effective.

2. Compensate any affected public utility for such reasonable expense as shall be incurred by such public utility in connection with the rearrangement, removal or relocation of its facilities. Any disclaimer or other release by any such public utility shall likewise make this release of reserved easements effective.

This Ordinance is hereby passed at a regular meeting of said City Council by the affirmative vote of three-fourths (3/4ths) 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 4th day of June 1979.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 6th day of June 1979.

Jeffery T. Markland
Jeffery T. Markland, Mayor

