

ORDINANCE NO. 8384-55

AN ORDINANCE APPROVING THE SALE AND TRANSFER  
OF CERTAIN PARCELS OF REAL ESTATE

WHEREAS, the Norfolk and Western Railway Company has abandoned certain railroad right-of-way within the corporate limits of the City of Urbana, Illinois, and

WHEREAS, the aforesaid Norfolk and Western Railway Company has given to the City of Urbana a quit claim deed transferring all of its right, title and interest in all the former abandoned railroad right-of-way line between Washington and Main Streets to the City of Urbana, and

WHEREAS, the City of Urbana has caused to be published in a newspaper of general circulation, its claim to ownership of said property, a copy of which publication is attached to this Ordinance as Exhibit "A", and

WHEREAS, on the 14th day of May, 1984, after due publication as required by ordinance, a public hearing was held on the question of whether the parcels of real estate described in this Ordinance is any longer needed for any governmental purpose or proprietary activity of the City of Urbana.

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

Section 1. The City Council expressly finds and declares that the parcels of real estate described below, and any interest of the City of Urbana therein, is no longer needed for any governmental purpose or proprietary activity of the City of Urbana.

Section 2. The parcels of real estate described on the attached Exhibit "B" and numbered therein Parcel #4, Parcel #5, Parcel #6, Parcel #7,

Parcel #8, Parcel #9, Parcel #10, Parcel #11, Parcel #12, Parcel #13,  
Parcel #14, Parcel #15, Parcel #16, Parcel #17, Parcel #18, Parcel #19,  
Parcel #20, Parcel #21 and Parcel #22, shall be transferred to the respective  
grantees whose name appears opposite each parcel number so designated, under  
the terms and conditions set forth in the form of the contract attached hereto  
as Exhibit "C", which is hereby authorized and approved, and the Mayor of  
Urbana is hereby authorized to execute contracts and deeds and the City Clerk  
is hereby authorized to attest to his signature on said contracts and deeds  
conveying such property from the City of Urbana to such grantees upon the  
payment to the City of Urbana of the respective costs set forth in Exhibit "D"  
hereto.

This Ordinance is hereby passed by a three-quarter affirmative vote,  
the "ayes" and "nays" being called of the Members of the Council of the City  
of Urbana, Illinois, at a regular meeting of said Council on the 21<sup>st</sup> day of  
May, 1984.

PASSED by the City Council this 21<sup>st</sup> day of May, 1984.

Ruth S. Brookens, by  
Nelora K. Koppell, Deputy Clerk  
Ruth S. Brookens, City Clerk

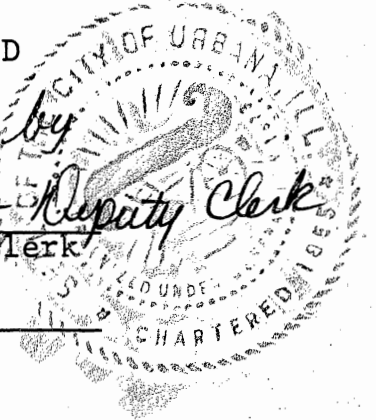
APPROVED by the Mayor this 25<sup>th</sup> day of May, 1984.

Jeffrey T. Markland  
Jeffrey T. Markland, Mayor

THIS IS THE ATTACHMENT WHICH IS REFERRED TO IN  
ORDINANCE NO. 8384-55 AND IS INCORPORATED  
THEREIN BY REFERENCE.

*Ruth S. Brookens, by*  
*Deborah K. Koepfel - Deputy Clerk*  
Ruth S. Brookens, City Clerk

May 24, 1984  
Date



**Legal**

**NOTICE**

**TO: Unknown heirs and devisees of James M. Webber and Minnie Webber, Patrick Fitzgerald and Catharine Fitzgerald, Matthew E. Busey and Sarah A. Busey, Emily W. Johnson and Harriet Harvey, and Joseph D. Harvey**

You and each of you are hereby notified that the City of Urbana, Illinois has received and recorded a quit claim deed from the Wabash Railroad Company, which said deed conveys to the City of Urbana, Illinois all of the right, title and interest of the said railroad to those parcels of real estate formerly used as railroad right - of - way which has now been abandoned. The property so deeded to the City of Urbana, Illinois is located in Sections 8, 16 and 17, Township 19 North, Range 9 East of the Third Principal Meridian and is located within the corporate limits of the City of Urbana between Washington Street and Maple Avenue. Anyone interested in viewing copies of the instruments conveying the right - of - way to the Champaign and Southeastern Railway Company (predecessor to the Wabash Railroad Company) may do so at the office of the City Clerk, City Building, 400 South Vine Street, Urbana, Illinois.

Jack Waaler, Corporation Counsel  
City of Urbana, Illinois  
384-2464

6337 - June 27, July 29, Aug. 30, Sept. 25, 1962

CONTRACT

WHEREAS, the CITY OF URBANA, ILLINOIS (hereinafter called simply "City") has heretofore by quit claim deed acquired from the Wabash Railroad Company all of the rights of the Wabash Railroad Company to the real property situated between Washington Street and Main Street in City, constituting its former railroad right-of-way, and

WHEREAS, \_\_\_\_\_ (hereinafter called simply "Grantee") expressly acknowledges that Grantee has been advised that through such deed from Wabash Railroad Company to City, the City has acquired only dubious legal title, if any, to the subject real estate, and that by conveying to Grantee the property subject to this agreement, City intends only that Grantee shall then be in a position to develop merchantable title to the said property through principles of adverse possession and payment of taxes thereon. It is expressly acknowledged that City has made no further or other representations regarding the legal effects of the conveyance contemplated herein, and

WHEREAS, after due notice and public hearing before the Urbana City Council on the 14th day of May, 1984, pursuant to Section 2-118 of the Urbana City Code, the corporate authorities have decided that it is in the best interests of City that it should cause the property described below to be deeded to Grantee herein under the terms and conditions herein set forth.

NOW THEREFORE, IT IS AGREED by and between the City of Urbana, Illinois and \_\_\_\_\_ (full name(s)) on this \_\_\_\_\_ day of \_\_\_\_\_, 1984, that:

1. Grantee will accept and record at Grantee's sole expense a deed from the City to the following described property:

(here insert legal description)

however, reserving a permanent easement. (If City requires such easement.)

2. Prior to deliver of the deed, Grantee shall pay City \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), which represents Grantee's proportionate share of the cost of surveying the former railroad right-of-way to enable City to create the necessary conveyance instruments.

3. Grantee agrees that Grantee, at the time of delivery of the deed referred to in Paragraph 1 above, will duly execute and acknowledge the permanent easement in the form attached hereto.

4. In the event the subject real estate is presently subject to a lease, license or other encumbrance, Grantee acknowledges that Grantee takes the subject real estate subject to such. City will assign its interest in any leases on the subject real estate to the Grantee.

IN WITNESS WHEREOF, the parties hereunto set their hands the day and year first above written.

CITY OF URBANA, ILLINOIS,

GRANTEE

By \_\_\_\_\_  
JEFFREY T. MARKLAND, Mayor

\_\_\_\_\_

Attest \_\_\_\_\_  
City Clerk

\_\_\_\_\_

STATE OF ILLINOIS     )  
                                  ) SS.  
COUNTY OF CHAMPAIGN )

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that \_\_\_\_\_,

personally known to me to be the same person \_\_\_\_\_ whose name \_\_\_\_\_  
subscribed to the foregoing instrument, appeared before me this day in person  
and acknowledged that \_\_\_\_\_ h \_\_\_\_\_ signed, sealed and delivered the said  
instrument as \_\_\_\_\_ free and voluntary act, for the uses and purposes  
therein set forth, including the waiver of right of homestead.

Given under my hand and Notarial Seal, this \_\_\_\_\_ day of \_\_\_\_\_,  
1984.

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Notary Public

PARCEL NUMBER	COST
2	\$660.91
3	\$545.64
4	\$309.65
5	\$513.90
6	\$426.51
7	\$225.12
8	\$165.09
9	\$245.07
10	\$298.19
11	\$218.39
12	\$314.04
13	\$ 98.93
14	\$355.49
15	\$405.19
16	\$267.17
17	\$341.31
18	\$229.45
19	\$179.18
20	\$174.45
21	\$194.35
22	\$197.89