

ORDINANCE NO. 8485-17

AN ORDINANCE
VACATING A PORTION OF A CERTAIN ALLEY
LOCATED GENERALLY ON THE LINCOLN SCHOOL SITE

WHEREAS, a proper Petition to the City of Urbana, Illinois has been duly filed requesting the vacation of a portion of a certain East-West alley located generally on the block bounded on the North by Clark Street, on the East by Lincoln Avenue, on the South by Main Street and on the West by Gregory Street, in the City of Urbana, Illinois, (the "Lincoln School Site"); and

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

WHEREAS, the City Council of the City of Urbana, Illinois has determined that the portion of the said alley should be vacated in accordance with the provisions of Resolution No. 7475-R19, entitled "A Resolution Regarding Policy on Vacation of Alleys, City of Urbana, Illinois".

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 terms set forth in this Ordinance, that portion of the said alley which is more specifically described as follows:

An alley 16.5 feet wide and 153 feet long running east to west, south of Lots 2-4 and north of Lots 5-7 of a Subdivision of Lot 21 of M. W. Busey's Heirs Addition to Urbana, within the boundaries of the following legal description:

Lots 2, 3, 4, 5, 6, 7 and 8 of a Subdivision of Lot 21 of M. W. Busey's Heirs Addition to Urbana, part of Old Bloomington Road and Block 46 of the Seminary Addition to Urbana, as shown by Plat recorded in Book "B" page 147, and also

The East 9 rods of Lot 21 of M. W. Busey's Heirs Addition to Urbana, Illinois, said East 9 rods sometimes referred to as Lot 1 of said Subdivision of said Lot 21, all comprising a tract of land bounded on the North by Clark Street, on the East by Lincoln Avenue, on the

South by Main Street and on the West by Gregory Street, situated in the City of Urbana, in Champaign County, Illinois,

Section 2. Title to the land described in Section 1 shall vest in the adjoining landowner subject to any easement or easements, if any, in favor of public utilities, their successors or assigns, to operate, maintain, renew and reconstruct their facilities as now existing over or under that portion of 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 3. The City Council of the City of Urbana, Illinois hereby finds and determines that no benefit shall accrue to the owner of the abutting property by increasing the fair market value thereof as a result of this Vacation Ordinance in that the portion of said alley has been an integral part of the Lincoln School Site since its inception; but, this Vacation Ordinance shall not be effective until the City of Urbana is reimbursed by said owner for any and all sums expended by the City of Urbana for appraisals of the portion of said alley in connection with this Vacation Ordinance.

Section 4. This Vacation 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 Section 2-30 of the Code of Ordinances, City of Urbana, Illinois, heretofore adopted and in effect.

1984. PASSED by the City Council this 20th day of August

Ruth S. Brookens
Ruth S. Brookens, City Clerk

1984. APPROVED by the Mayor this 29th day of August

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

CERTIFICATE AND RECEIPT

The undersigned, RUTH S. BROOKENS, hereby certifies that she is the duly elected, qualified and acting City Clerk of the City of Urbana, Champaign County, Illinois, and in connection with the requirements of Section 3 of Ordinance No. 8485-17, entitled, "An Ordinance Vacating A Portion Of A Certain Alley Located Generally On The Lincoln School Site," does hereby acknowledge receipt of the sum of \$300.00 for the account of the City of Urbana, Champaign County, Illinois, as payment in full for the amount of money which is equal to any and all sums expended by the City of Urbana for appraisals of the portions of said alley in connection with said vacation ordinance.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 1st day of October, 1984.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

STATE OF ILLINOIS)
) SS
CHAMPAIGN COUNTY)

I, the undersigned, a Notary Public, in and for said county, in the state aforesaid, do hereby certify that RUTH S. BROOKENS, personally known to me to be the City Clerk of the City of Urbana, Champaign County, Illinois, and 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 as RUTH S. BROOKENS, City Clerk of said City, she signed and delivered the said instrument as RUTH S. BROOKENS, City Clerk, as her free and voluntary act, and as the free and voluntary act for and on behalf of the said City, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 1st day of October, 1984.

Kenneth L. Galt
Notary Public