

ORDINANCE NO. 8485-7

AN ORDINANCE VACATING A PORTION OF A CERTAIN ALLEY
IN WILLIAM HARVEY'S ADDITION TO URBANA

WHEREAS, a proper Petition to the City of Urbana, Illinois has been filed requesting the vacation of a portion of a certain alley located generally west of and adjacent to Lots 4 and 5 of William Harvey's Addition to Urbana (Webber 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 that 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 abovesaid alley which is more specifically described as follows:

All that part of the alley which lies west of and adjacent to Lots 4 and 5 of William Harvey's Addition to Urbana in Township 19 North, Range 9 East of the Third Principal Meridian, 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 as well as electrical conduit which may now or hereafter be 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, drains or electrical conduit from their use of the real estate described in Section 1.

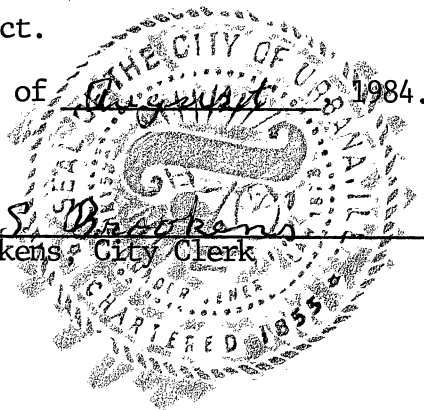
Section 3. Title to the land described in Section 1 shall vest in the adjoining landowners subject to any easement or easements in favor of public utilities, their successors or assigns, to operate, maintain, renew and reconstruct their facilities as now existing over or under that portion of said alley, 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 4. The City Council of the City of Urbana, Illinois finds and determines that no amount of money should be charged for the vacation of this alley because no new or different benefits will accrue to the owners of the abutting properties by reason of this Vacation Ordinance since the said alley has been an integral part of the Webber School site for many years, but this Ordinance shall not be effective until the City of Urbana is reimbursed for the sums expended for appraisals of the alley herein vacated.

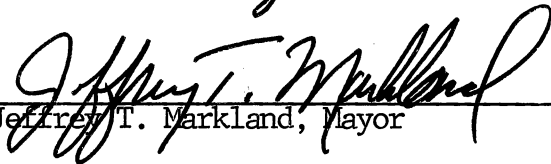
Section 5. This Ordinance is hereby passed at a regular meeting of said City Council by the affirmative vote of three-fourths (3/4) of the aldermen and alderwomen holding office who did not abstain from voting on this Ordinance, all in accordance with Section 2-30 of the Code of Ordinances, City of Urbana, Illinois, heretofore adopted and in effect.

PASSED by the City Council this 6th day of August, 1984.

Ruth S. Brookens
Ruth S. Brookens, City Clerk



APPROVED by the Mayor this 13th day of August, 1984.



Jeffrey T. Markland, Mayor

NOTICE

The City of Urbana hereby acknowledges that it has been reimbursed for the sums expended in the amount of \$225.00 for appraisals of the alley described as follows:

All that part of the alley which lies west of and adjacent to Lots 4 and 5 of William Harvey's Addition to Urbana in Township 19 North, Range 9 East of the Third Principal Meridian, situated in Champaign County, Illinois,

in accordance with Section 4 of Ordinance No. 8485-7, An Ordinance Vacating A Portion Of A Certain Alley In William Harvey's Addition To Urbana.

CITY OF URBANA

DATED: August 3, 1985

By: Ruth S. Brookens
Mrs. Ruth Brookens
City Clerk

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AREA CODE 217
TELEPHONE
367-1126

August 28, 1984

Mr. Jack Waaler
Corporation Counsel
Waaler, Evans & Gordon
2503 S. Neil
Champaign, IL 61820

RE: Payments for Vacated Alley Within
Webber School Property

Dear Jack:

This letter is to confirm our phone conversation of this date concerning the payment for city expenses relating to the alley within the Webber School property.

Webber Street Church will be paying the School District for the property sometime between now and May, 1985. It looks like it will probably be sooner, rather than later.

The ordinance on the vacation of the alley indicates that it is not to be vacated until such time that the \$225.00 is paid. Our plan is to first pay the School District for the surrounding property, and then the next day, pay the city the \$225.00 required under the city ordinance. Then when that contingency is removed and the alley is vacated to the surrounding land owners, the land owner will be the Webber Street Church.

Thanks much for calling. If you have any questions, please don't hesitate to call.

Very truly yours,

WEBBER & THIES, P.C.

By: 

Carl M. Webber

CMW/pdr

cc: Bruce Walden
Ruth Brookens
Glen C. Paine
Don Eckerty
William O. Freeman



CITY OF URBANA

400 SOUTH VINE STREET • URBANA, ILLINOIS, 61801 • (217) 384-2300

TREE CITY, USA

A NICE PLACE TO LIVE

MEMORANDUM

RE: Ordinance No. 8485-7, An Ordinance Vacating A Portion
Of A Certain Alley In William Harvey's Addition To
Urbana, adopted the 6th day of August, 1984

Urbana School District 116 petitioned July 9, 1984 for vacation of this alley. The School District was planning to sell the Webber School property on August 16, 1984.

In accordance with its policy on alley vacations, the City of Urbana obtained two appraisals of the alley, at a total cost of \$225.00. The City Council found that no amount of money should be charged for vacation of the alley but that the City should be reimbursed for the cost of the appraisals and that the Ordinance would not become effective until such reimbursement was made.

On August 9, 1984, the City billed the Urbana School District \$225.00 as reimbursement for the two appraisals for the Webber School Alley Vacation.

On August 28, 1984, Carl Webber wrote to Jack Waaler that the Webber Street Church of Christ, the purchaser, would be paying the School District for the Webber School Property by May, 1985 and would then pay the City the \$225.00 required by the vacation ordinance.

On May 2, 1985, a Webber Street Church of Christ check in the amount of \$225.00 was hand delivered to the City Clerk with no written documentation.

No such documentation having been received to date, I have written this account this 20th day of June, 1985 to show that the conditions of Ordinance No. 8485-7 have been fulfilled.


Ruth S. Brookens, City Clerk

RSB:dkk