

8889-72 - Council Ordinance  
ORDINANCE NO. 8889-65

ORDINANCE VACATING A PORTION OF WILBUR ROAD

WHEREAS, in a certain agreement between the City of Urbana and J. M. Jones Company which was approved by the Urbana City Council on November 21, 1988 in Resolution No. 8889-R11 the City of Urbana agreed to consider the request from J. M. Jones Company that the City vacate a portion of Wilbur Road, and

WHEREAS, the Urbana City Council has considered the matter and has come to the conclusion that the vacation of Wilbur Road between Oak Street and a point approximately 850 feet East of Oak Street is in fact in the best interest of the City of Urbana and its citizens, because the right-of-way proposed to be vacated herein is in need of extensive maintenance work and repair to even make such right-of-way reasonably safe and passable which said work would cost the City of Urbana considerable public funds which could be better utilized elsewhere, and the right-of-way along and upon this portion of Wilbur Road has in fact been barricaded and closed to public travel for well over one year for reasons of public safety, and

WHEREAS, it has been determined that J. M. Jones Company is the record owner of all property abutting on that portion of Wilbur Road lying between Oak Street and a point 850 feet East thereof and the said J. M. Jones Company has agreed that the vacation of Wilbur Road right-of-way would not adversely affect said J. M. Jones Company, or others, and

WHEREAS it has been determined that vacation of such right-of-way would not damage any property by reason of disturbing access.

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, the following described road right-of-way:

A portion of the right-of-way commonly known as Wilbur Road, commencing at the Southeast corner of Section 31, Township 20 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois; thence South 90 degrees 00 minutes 00 seconds West along the South line of Section 31 a distance of 1117.40' to the point of beginning; thence South 90 degrees 00 minutes 00 seconds West a distance of 848.06'; thence South 26 degrees 07 minutes 34 seconds West a distance of 66.83' to the South right-of-way line of Wilbur Road; thence North 90 degrees 00 minutes 00 seconds East a distance of 877.49'; thence North 00 degrees 00 minutes 00 seconds East 30.00' to the point of beginning, encompassing 1.2 Acres more or less, all being situated in Champaign County, Illinois.

Section 2. The vesting of title in the portion of the street so vacated in the abutting property owner or owners shall be subject to an easement to all public utilities, their successors and assigns to operate, maintain, renew and reconstruct their facilities affected by this vacation as now operated and maintained in, over and under the portion of the streets and alleys vacated unless the said abutting property owner or owners shall compensate the said utilities for such reasonable expense as shall be incurred by said utilities in connection with the rearrangement, removal or relocation of said facilities.

This Ordinance is hereby passed by the affirmative vote of 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 of the City of Urbana, Illinois heretofore adopted and in effect.

PASSED by the City Council on this 20<sup>th</sup> day of March, 1989.

  
Ruth S. Brookens  
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 27<sup>th</sup> day of March, 1989.

Jeffrey T. Markland  
Jeffrey T. Markland, Mayor