

ORDINANCE No. 8990-85

AN ORDINANCE  
EXERCISING THE RIGHT OF EMINENT DOMAIN BY CONDEMNATION

WHEREAS, Section 11-61-1 of the Illinois Municipal Code (Ill.Rev.Stat. ch. 24, par. 11-61-1, the "Municipal Code") provides generally that the corporate authorities of each municipality may exercise the right of eminent domain by condemnation proceedings in conformity with the provisions of the Constitution and the statutes of the State of Illinois for the acquisition of property useful, advantageous or desirable for municipal purposes or public welfare; and

WHEREAS, Section 11-71-1 of the Municipal Code specifically authorizes any municipality to acquire sites, buildings and facilities by condemnation under power of eminent domain for a motor vehicle parking lot or lots; and

WHEREAS, the City Council of the City of Urbana, Champaign County, Illinois (the "City") desires to acquire such real estate, as generally herein described, for the purpose of constructing and installing a municipal parking lot.

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

Section 1. The City Council of the City hereby finds and determines that certain privately-owned real estate, as herein generally described, is useful, advantageous and desirable for municipal purposes and public welfare, to-wit: to provide a site for a motor vehicle parking lot or lots in and around the vicinity of Lincoln Square Shopping Center in the City.

Section 2. The acquisition of the following described real estate by condemnation under the power and exercise of the right of eminent domain be and the same is hereby authorized and approved for the public purpose as herein found and determined in Section 1 hereof:

A parcel of real estate located at the southwest corner of the intersection of High Street and Broadway Avenue in the City, the approximate dimensions of which are 111.5' x 58.32' x 111.5' x 58.08',

commonly known as 401 S. Broadway Avenue, Urbana, Illinois.

Section 3. From and after the effective date of this Ordinance, the proper officials, employees and agents of the City are hereby authorized, empowered and directed to do all such acts and things and to execute and deliver all such documents as may be necessary to complete the acquisition of such real estate at a

price that does not exceed the amount of Three Hundred Fifty Thousand Dollars (\$350,000.00) and to carry out the intent and accomplish the purposes of this Ordinance without the institution of formal legal action.

Section 4. In the event that the price for such acquisition of the real estate described herein is not otherwise agreed upon on or before March 16, 1990, the City Attorney of the City be and the same is hereby authorized and directed to institute, on behalf of the City, or to cause the institution of, such legal action as may be deemed necessary to ascertain the just compensation for such acquisition of the real estate described herein.

This ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said City Council.

PASSED by the City Council this 5<sup>th</sup> day of March, 1990.

Ruth S. Brookens  
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 12<sup>th</sup> day of March, 1990.

Jeffrey T. Markland  
Jeffrey T. Markland, Mayor