

ORDINANCE NO. 8990-94

AN ORDINANCE EXERCISING THE RIGHT
OF EMINENT DOMAIN BY CONDEMNATION

WHEREAS, the City of Urbana, Illinois has undertaken a planning study known as the King Park Plan, 1989-2001 which Plan was approved by the City Council on June 5, 1989 and signed by the Mayor of Urbana on June 15, 1989, being Ordinance 8889-81; and

WHEREAS, the said King Park Plan generally provides for the development and redevelopment of the area encompassed by the Plan for the betterment of the citizens of Urbana living in the area and the betterment of the City of Urbana as a whole; and

WHEREAS, the parcel described below in this Ordinance is located within the area affected by the said King Park Plan and is thereby scheduled for development for affordable low to moderate income housing; and

WHEREAS, agents and officers of the City of Urbana have been unable to acquire the title to the parcel described herein by voluntary negotiations; and

WHEREAS, the Illinois Municipal Code in Section 11-61-1 thereof provides for the exercise of the right of eminent domain by any municipality to acquire property useful, advantageous or desirable for municipal purposes or public welfare; and

WHEREAS, the City Council of the City of Urbana, Champaign County, Illinois has found and determined that it is in the best interest of the City of Urbana and its citizens that the City of Urbana acquire the real estate described below for the purposes of implementing a plan to provide low to moderate income housing on the tract herein sought to be acquired.

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 of Urbana hereby finds and determines that certain privately owned real estate, as is herein described below, is useful, advantageous and desirable for municipal purposes and the public welfare, to-wit: to further implement the adopted King Park Plan.

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

Beginning 33 feet West and 235 feet South of the
Northeast corner of the Southeast Quarter of the

Northeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, thence West along a line parallel to and 235 feet South of the North line of the Southeast Quarter of the Northeast Quarter of Section 7 aforesaid, a distance of 435.6 feet, thence South a distance of 100 feet, thence East a distance of 435.6 feet, thence North a distance of 100 feet to the place of beginning, situated in the City of Urbana, in Champaign County, Illinois.

Section 3. The appropriate officials, employees and agents of the City of Urbana 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 parcel of real estate at a price that does not exceed \$31,200.00.

Section 4. In the event that the price of such acquisition of the aforesaid real estate is not otherwise agreed upon on or before April 1, 1990, the Corporation Counsel of the City of Urbana 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 appropriate and necessary to ascertain the just compensation for such acquisition of the aforesaid described real estate.

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 Council on the 19th day of March, 1990.

PASSED by the City Council on this 19th day of March, 1990.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 22nd day of March, 1990.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor