

ORDINANCE NO. 9091-90

AN ORDINANCE VACATING A PORTION OF
WATER STREET

WHEREAS, on the 13th day of September, 1901, Joseph Markle and his spouse, Mary Markle, by Warranty Deed, conveyed a parcel of land which included the purported Water Street right-of-way herein vacated, to one Elizabeth Liggett and her son, John M. Liggett; and

WHEREAS, thereafter, to-wit, on June 25, 1903, the same Mary Markle filed a plat of subdivision known as Mary Markle's First Addition to Urbana and in said plat subdivision purportedly dedicated certain right-of-way known as Water Street which said plat included as part of the Water Street right-of-way so dedicated the land owned by the aforesaid Elizabeth Liggett and John Liggett; and

WHEREAS, since the aforesaid Elizabeth Liggett and John M. Liggett did not join in the plat of subdivision of Mary Markle's First Addition to Urbana and thus the attempted dedication on that portion of Water Street herein vacated in this Ordinance was ineffective and without legal effect; and

WHEREAS, the current owner of the parcel commonly known as 404 Water Street has petitioned the City of Urbana to formally vacate that portion of Water Street right-of-way herein vacated to clarify that a portion of his property is not in fact dedicated right-of-way; and

WHEREAS, the Urbana City Council finds it to be in the best interests of the City of Urbana and its citizens that the City vacate that portion of Water Street which was included in the aforesaid Mary Markle's First Addition to Urbana.

THEREFORE, BE IT ORDAINED as follows:

Section 1. The Corporate Authorities hereby determine that the public interest will be subserved by the vacation of all that portion of Water Street described as follows and the same is hereby vacated:

A tract of land in the Southeast quarter of Section 8, Township 19 North, Range 9 East of the Third Principal Meridian, more particularly described as follows: That part that lies between the north line of Water Street, as platted by Mary Markle's Replat as recorded in Plat Book C at page 166, and the south line of a tract of land described in Deed Record Book 122 at page 501, except the West 55 feet thereof.

NOTE: Original recorded by 1-19-91
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Section 2. That the City Council finds and determines that the benefits accruing to the abutting property owned by reason of this vacation is zero for the reasons set forth above.

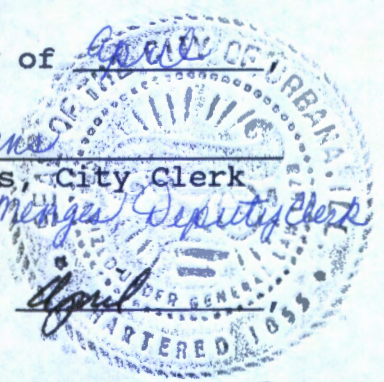
Section 3. The City of Urbana, Illinois, hereby reserves easements upon and under said portions of said street, for the maintenance and repair of all sewers and drains and all public service facilities which are located on or under the surface of any part of said portion of said street.

The vesting of title in the portions of said street shall be subject to any easement or easements for public utilities, their successors and assigns, to operate, maintain, renew and reconstruct their facilities, and as are now operated and maintained in, over or under any portions of said street so vacated, this corporate authority having determined that it is both necessary and desirable for the public interests that the public services of all said public utilities be continued by the means of said facilities.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, passed by three-fourths vote of the Aldermen and Alderwomen holding office who did not abstain from voting on this Ordinance, all in accordance with Ordinance No. 7374-61 of the City of Urbana, Illinois, heretofore adopted and in effect.

1991. PASSED by the City Council this 15th day of April

Ruth S. Brookens
Ruth S. Brookens, City Clerk
by Sharon K. Morgan Deputy Clerk



1991. APPROVED by the Mayor this 15 day of April

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

