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ORDINANCE NO. 9091-124

AN ORDINANCE VACATING A PART OF PHILO ROAD

WHEREAS, the City of Urbana has heretofore, as part of the consideration for dedication of permanent right-of-way for public road purposes for the improvement of the intersection of Philo Road and Windsor Road, agreed to vacate a certain portion of road right-of-way that previously existed that will no longer be needed for public purposes after the improvement of the said intersection; and

WHEREAS, the City Council of the City of Urbana has determined that the nature and extent of the public use or public interest to be subserved is such as to warrant the vacation of that part of Philo Road.

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

Section 1. That the City Council of the City hereby vacates, subject to the terms set forth in this Ordinance, that part of Philo Road which is more specifically described as follows:

Commencing at the Southwest corner of the Southeast Quarter of Section 21, Township 19 North, Range 9 East of the Third Principal Meridian; thence, $NO^{\circ}-48'-58''W$, along the West line of said Southeast Quarter, a distance of 214.75 feet; thence, $N89^{\circ}-11'-02''E$, a distance of 40.00 feet, to a point on the existing Right of Way of Philo Road (old Illinois Route 130), said point being the Point of Beginning; thence, along said existing Right of Way line, along a curve to the left, whose tangent bears $S18^{\circ}-36'-53''E$, having a radius of 271.60 feet and a central angle of $43^{\circ}-53'-02''$, for an arc distance of 208.02 feet; thence $S89^{\circ}-37'-57''W$, along a line parallel with and 60.00 feet Northerly of, the South line of said Southeast Quarter, a distance of 79.77 feet; thence, $N45^{\circ}-22'-03''W$, a distance of 71.27 feet; thence $NO^{\circ}-48'-58''W$, along a line parallel with, and 40.00 feet Easterly of, the West line of said Southeast Quarter, a distance of 104.67 feet, to the Point of Beginning, said parcel containing 0.14 acres (6119.87 S.F.), more or less, situated in Champaign County, Illinois.

Section 2. That title to the real estate described in Section 1 shall vest in the owners of the land abutting thereon subject to the following described permanent easement:

A part of the Southeast Quarter of Section 21, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

Commencing at the Southwest Corner of the Southeast

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Urbana City Clerk
400 South Vine St.
Urbana, Il 61801

Quarter of Section 21, Township 19 North, Range 9 East of the Third Principal Meridian, thence, N0°-48'-58"W, along the West line of said Southeast Quarter, 115.08 feet; thence, N89°-11'-02"E, 40.00 feet, to the East Right-of-Way Line of Philo Road (old Ill. Rte. 130), said point being the Point of Beginning; thence, N84°-36'-33"E, 53.97 feet; thence, along a curve to the left, having a radius of 271.60 feet, a central angle of 20°-37'-38", for an arc length of 97.78 feet; thence S89°-37'-57"W, 79.77 feet, along a line parallel with and 60.00 feet northerly of the South line of said Southeast Quarter; thence, N45°-22'-03"W, 71.27 feet; thence N0°-48'-58"W, 5.00 feet to the Point of Beginning, all situated in Champaign County, Illinois and containing 0.386 acres (16808.05 S.F.), more or less

and any easement or easements in favor of the City or any public utilities, their successors or assigns, to operate, maintain, renew and reconstruct their facilities as now existing on, over or under that part of Philo Road so described in Section 1, unless and until such owners of the land abutting thereon shall cause the rearrangement, removal or relocation of all said facilities, and shall pay and be responsible for all reasonable costs and expenses as shall be incurred in association therewith.

Section 3. That the City Council of the City hereby finds and determines that the vacating of the aforesaid right-of-way as partial consideration for the dedication of other right-of-way as provided for herein is in the public interest and no further or other compensation shall be required for such vacation under this Ordinance in that the benefits which will accrue to the owner of the property abutting upon such part of Philo Road herein vacated is, in the judgment of the corporate authorities, such as will not cause an increase in the fair market value of such abutting property.

Section 4. That this Ordinance is hereby passed at a regular meeting of said City Council by the affirmative vote of three-fourths (3/4ths) 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 May,

1991.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 13th day of May,

1991.

Jeffrey F. Markland
Jeffrey F. Markland, Mayor