

AN ORDINANCE VACATING A CERTAIN PORTION OF
CALIFORNIA AVENUE

WHEREAS, a proper petition addressed to the City of Urbana, Illinois, has been duly filed requesting the vacation of California Avenue between the eastern boundary of Mathews Avenue and the western boundary of Goodwin Avenue, as is more particularly described below in this Ordinance; and

WHEREAS, the City Council of the City of Urbana has determined that the public interest will be subserved by vacating the aforementioned street; and

WHEREAS, it has been determined that the petitioner herein, the University of Illinois, is the record owner of all properties abutting on that portion of California Avenue aforementioned proposed to be vacated.

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 portion of California Avenue:

Beginning at the intersection of the north right-of-way line of California Avenue and the east right-of-way line of Mathews Avenue; thence East along the north line of California Avenue 397 feet to the west right-of-way line of Goodwin Avenue; thence South 60 feet along the west right-of-way line of Goodwin Avenue extended to the south right-of-way line of California Avenue; thence West 397 feet along the south right-of-way line of California Avenue to the east right-of-way line of Mathews Avenue; thence North 60 feet along the east right-of-way line of Mathews Avenue extended to the point of beginning, encompassing .547 acre more or less, all in the Northeast Quarter of Section 18 in Township 19 North, Range 9 East of the Third Principal Meridian, 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 street 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.

Section 3. The City Council of the City of Urbana hereby finds and determines that the adjoining land owner (the University of Illinois) shall be benefitted as a result of this vacation ordinance and the City Council of the City of Urbana hereby and herewith finds and determines that the cash compensation that should be paid to the City of Urbana which is equal to the benefits accruing to the abutting land owner by virtue of this vacation is the sum of \$450,000.00. This Ordinance shall not be effective unless and until the said sum is paid to the City Clerk of the City of Urbana.

Section 4. The City expressly reserves the following rights, which rights shall survive after the passage of this vacation ordinance, to enter upon the former right-of-way for the purposes of: (a) for ten (10) days following the effective date of the ordinance, to remove parking meter heads; (b) street lights and brick pavers within the right-of-way to be vacated may be removed by the City within thirty (30) days following notification by the University to the City of intent to commence work, requiring such removal.

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 16th day of July, 1991.


Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 17th day of July, 1991.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor