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ORDINANCE NO. 9293-28

AN ORDINANCE VACATING A PART OF AN  
ALLEY WHICH RUNS EAST AND WEST BETWEEN  
COTTAGE GROVE AVENUE AND POPLAR STREET,  
WHICH LIES NORTH OF MAIN STREET AND  
ADJACENT TO THE CONRAIL RAILROAD RIGHT-  
OF WAY

**2014R11963**  
REC ON: 07/09/2014 11:14:01 AM  
CHAMPAIGN COUNTY  
**BARBARA A. FRASCA, RECORDER**  
REC FEE: 43.00  
PAGES 3  
PLAT ACT: OPLAT PAGE:

Prepared for recording by:

Phyllis D. Clark

400 S. Vine Street, Urbana, IL

(6)

Return to:

Phyllis D. Clark, City Clerk  
City of Urbana  
400 S. Vine Street  
Urbana, IL 61801

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AN ORDINANCE  
VACATING A PART OF AN ALLEY WHICH RUNS EAST AND WEST BETWEEN  
COTTAGE GROVE AVENUE AND POPLAR STREET, WHICH LIES NORTH OF  
MAIN STREET AND ADJACENT TO THE CONRAIL RAILROAD RIGHT-OF WAY

WHEREAS, a proper petition addressed to the City of Urbana, Illinois (the "City") has been filed by Robert E. and Carol L. Deck requesting the vacation of the alley which runs East and West between Cottage Grove Avenue and Poplar Street, which lies North of Main Street and adjacent to the Conrail Railroad right-of-way; and

WHEREAS, Robert E. and Carol L. Deck own the property abutting the South side of the said alley, namely 116 North Cottage Grove Avenue and 115 North Poplar Street; and

WHEREAS, the City Council of the City of Urbana, Illinois 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 the said alley.

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, that part of an alley which is more specifically described as follows:

A public alley between Cottage Grove Avenue and Poplar Street being further described as follows:

All of the alley lying North of Lots 5 and 6 of Subdivision of part of the SE SW of Section nine Township nineteen North Range No. nine east 3rd P.M. and lots 2,3,4, and 5 of a former subdivision as recorded in Plat Book B, at page 142, in the Office of the Recorder, Champaign County, Illinois, and South of the Conrail right-of-way.

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

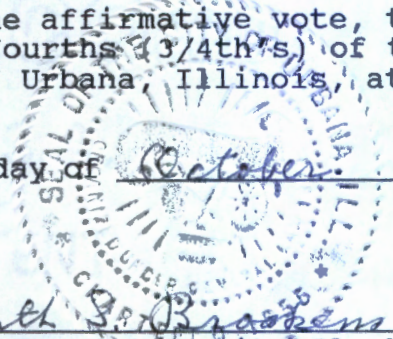


Section 3. The City Council of the City of Urbana hereby finds and determines that Robert E. and Carol L. Deck shall be benefitted as a result of this vacation Ordinance and the City Council of the City of Urbana hereby and herewith finds and determines that the cash compensation that should be paid to the City of Urbana which is equal to the benefits accruing to Robert E. and Carol L. Deck by virtue of this vacation is the sum of \$650.00.

Section 4. This Ordinance shall not be effective unless and until the City Clerk of the City of Urbana, Illinois executes the acknowledgement in the space provided on this Ordinance. The City Clerk is hereby authorized and directed to execute the said acknowledgement upon receipt of the sum of \$650.00 for the account of the City of Urbana, Illinois.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of three-fourths (3/4ths) 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 October, 1992.

  
Ruth S. Brookens  
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 12<sup>th</sup> day of October, 1992.

Jeffrey T. Markland  
Jeffrey T. Markland, Mayor

ACKNOWLEDGEMENT

I, Ruth S. Brookens, hereby certify that I am the duly elected, qualified and acting City Clerk of the City of Urbana, Illinois and I hereby acknowledge receipt of the sum of \$650.00 for the account of the City of Urbana, Illinois, as payment of the amount of money which is equal to the benefits accruing to Robert E. and Carol L. Deck by virtue of this Ordinance.

Nov 17, 1993  
Date

Ruth S. Brookens  
Ruth S. Brookens, City Clerk  
by Sharon Menges, Deputy Clerk

M E M O R A N D U M

TO: Ronald C. Eldridge, Comptroller  
FROM: Ruth S. Brookens, City Clerk  
DATE: January 21, 1993  
RE: Deck Alley Vacation Payment

Last October the City Council adopted Ordinance No. 9293-28, which vacates a part of an alley adjacent to the Deck property (copy attached).

Robert E. and Carol C. Deck presented a check for \$650.00 as payment for the benefits accruing to them from this vacation. The check was turned over to the Finance Department, but I was instructed not to sign the acknowledgement of its receipt until it had cleared and was duly entered in the financial records.

Can you please give me your assurance, on the lower part of this page perhaps, that the check has now been fully processed and credited to the City, so that I can sign the ACKNOWLEDGEMENT at the end of the Ordinance.

Sincerely,

Ruth S. Brookens  
Ruth S. Brookens, City Clerk

Properly rec'd 11/19/92

RE