

2411

0153

1600  
3/19

ORDINANCE NO. 9596-107

"AN ORDINANCE VACATING PORTIONS OF CERTAIN STREETS AND ALLEYS IN THE AREA GENERALLY BOUNDED BY VINE STREET, MAIN STREET, MAPLE STREET, AND THE CONRAIL RIGHT-OF-WAY (SCHNUCK'S RIGHT-OF-WAY VACATION)"

PLAT OF VACATION

INDEXED

96R13722

DOC # 96R13722  
CHAMPAIGN COUNTY, ILL

'96 JUN 4 PM 3 47

*Naomi D. Johnson*

RECORDER

Return to: Phyllis Clark, City Clerk  
City of Urbana  
P.O. Box 219  
Urbana, IL 61801-0219

CLERK'S CERTIFICATE

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF CHAMPAIGN )

I, Phyllis D. Clark, City Clerk of the City of Urbana, Illinois, and keeper of the records, files and seal of said City, do hereby certify that the foregoing is a true and exact copy of an ordinance entitled, "AN ORDINANCE VACATING PORTIONS OF CERTAIN STREETS AND ALLEYS IN THE AREA GENERALLY BOUNDED BY VINE STREET, MAIN STREET, MAPLE STREET, AND THE CONRAIL RIGHT-OF-WAY (Schnuck's Right-Of-Way Vacation)" adopted by the City Council of the City of Urbana on the 6th day of May, 1996 as appears in the records and files in my office remaining.

Given under my hand and seal of said City of Urbana, Illinois, this 20th day of May, A.D. 1996.

  
\_\_\_\_\_  
Phyllis D. Clark, City Clerk

AN ORDINANCE VACATING PORTIONS OF CERTAIN STREETS AND ALLEYS  
IN THE AREA GENERALLY BOUNDED BY VINE STREET, MAIN STREET,  
MAPLE STREET, AND THE CONRAIL RIGHT-OF-WAY  
(Schnuck's Right-of-Way Vacation)

2411  
0155

WHEREAS, in Ordinance No. 9596-62 the Development Agreement with Schnuck Markets, Inc. was approved by the Urbana City Council; and

WHEREAS, in the said Development Agreement, the City agreed to vacate the streets and access ways currently existing within the redevelopment project area; and

WHEREAS, the vacation of those portions of the public right-of-way as set forth in this Ordinance shall not interfere with or impair the access rights of any private property, and for the most part, all of the public right-of-way herein vacated is in need of considerable repair if it is to be retained as public right-of-way; and

WHEREAS, the Urbana City Council has determined that the nature and extent of the public use and the public interest to be subserved, warrants the vacation of those portions of the public right-of-way as provided herein; and

WHEREAS, in accordance with the requirements of Ordinance No. 9293-97 entitled "An ordinance requiring a Public Hearing Prior to the Vacating of a Street", a public hearing was held on the 18th day of March, 1996, which said date was more than fifteen (15) days, but less than thirty (30) days following the publication of the notice of Hearing in a newspaper of general circulation in the City of Urbana, to-wit, said publication having occurred on the 21st day of February, 1996; and the Zoning Administrator also caused to be mailed, a copy of the said notice so published, to each of the last known taxpayers of record of all properties adjacent to or within 250' in each direction of the portion of the street proposed to be vacated, said mailing having been accomplished on the 28th day of February, 1996; and

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

Section 1. The following-described public right-of-way is hereby vacated:

A portion of the Southeast Quarter of Section 8, and a portion of the Northeast Quarter of Section 17, both being located in Township 19 North, Range 9 East of the Third Principal Meridian in the City of Urbana, Illinois, more particularly described as follows:

Beginning at the intersection of the North Right-of-Way line of Water Street and the East Right-of-Way line of Vine Street, said point lying 33.00 feet North of the South line of Outlot 4 of the Original Outlots to the Town (now City) of Urbana and 75.00 feet East of the centerline of Vine Street; thence East along the North Right-of-Way line of Water Street for a distance of approximately 229.35 feet to a point lying on the East line of said Outlot 4, said East line of Outlot 4 also being the West line of the Mary Markle Replat in the City of Urbana as recorded in Plat Book C at page 166 in the Champaign County Recorder's Office; thence North along the East line of said Outlot 4, said East line of Outlot 4 also being the West line of said Mary Markle Replat, for a

distance of approximately 5.00 feet to a point lying on the North Right-of-Way line of Water Street as platted by said Mary Markle Replat; thence East along the North Right-of-Way line of Water Street as platted by said Mary Markle Replat, said North Right-of-Way line also being the South line of Lot 3 of said Mary Markle Replat, for a distance of approximately 55.00 feet to the Northwest corner of a tract previously formally vacated by the City of Urbana by City Ordinance No. 9091-90 and recorded April 16, 1991 in Book 1734 at Page 618 as Document No. 91R6787; thence South along the West line of said previously vacated tract for a distance of approximately 23.00 feet to the Southwest corner of said previously vacated tract, said corner lying on the South line of a parcel of land as described in Deed Record Book 122 at Page 501; thence East along the South line of said previously vacated tract, said line also being the South line of a parcel of land as described in Deed Record Book 122 at Page 501, for a distance of approximately 75.00 feet to the Southeast corner of said previously vacated tract; thence North along the East line of said previously vacated tract for a distance of approximately 23.00 feet to a point lying on the North Right-of-Way line of Water Street as platted by said Mary Markle Replat, said point being the Southeast corner of Lot 3, and the Southwest corner of Lot 4, of said Mary Markle Replat; thence East along the North Right-of-Way line of Water Street as platted by said Mary Markle Replat, said North Right-of-Way line also being the South line of Lot 4 of said Mary Markle Replat, for a distance of approximately 35.00 feet to the Northeast corner of said Water Street; thence South along the East Right-of-Way line of a 12 foot wide alley as platted by said Mary Markle Replat, said East Right-of-Way line also being the West line of Lot 4 of said Mary Markle Replat, for a distance of approximately 185.20 feet to a point lying on the Easterly extension of the South line of Lot 1 of said Mary Markle Replat, said point also being the Northeast corner of Lot 1 of the Earl Mackey Subdivision of a part of the Southeast Quarter, Southeast Quarter, Section 8, and Northeast Quarter, Northeast Quarter, Section 17, Township 19 North, Range 9 East, Third Principal Meridian, as recorded in Plat Book L at page 23 in the Champaign County Recorder's Office; thence West along the Easterly extension of the South line of Lot 1 of said Mary Markle Replat, said line also being the North line of Lot 1 of said Earl Mackey Subdivision, for a distance of approximately 12.00 feet to the Southeast corner of Lot 1 of said Mary Markle Replat; thence North along the West Right-of-Way line of a 12 foot wide alley as platted by said Mary Markle Replat, said West Right-of-Way line also being the East line of Lots 1 and 2 of said Mary Markle Replat, for a distance of approximately 147.20 feet to the Northeast corner of Lot 2 of said Mary Markle Replat, said corner lying on the South line of Water Street as platted by said Mary Markle Replat; thence West along said South Right-of-Way line of Water Street, said South Right-of-Way line also being the North line of Lot 2 of said Mary Markle Replat, for a distance of approximately 120.00 feet to the Northwest corner of Lot 2 of said Mary Markle Replat, said corner lying on the East Right-of-Way line of Urbana Avenue; thence South along the East Right-of-Way line of Urbana Avenue and the Southerly extension thereof, said East Right-of-Way line also being the West line and the Southerly extension thereof, of Lots 1 and 2 of said Mary Markle Replat, for a distance of approximately 159.20 feet to a point lying on the North line of Lot A of said Mary Markle Replat; thence West along the North line of Lot A of said Mary

2411 0156

Markle Replat, said North line also being the North line of Lot 1 of said Earl Mackey Subdivision, for a distance of approximately 33.00 feet to the Northeast corner of Lot 20 of William T. Webber's Subdivision of Outlots 5, 6, and 7 of the Original Addition of Outlots to the Town (now City) of Urbana, said corner lying on the South Right-of-Way line of Goose Alley; thence continuing West along the South Right-of-Way line of Goose Alley, said South Right-of-Way line also being the North line of Lots 20, 19, 18 and 17 of said William T. Webber's Subdivision, for a distance of approximately 276.00 feet to the Northwest corner of Lot 17 of said William T. Webber's Subdivision, said corner lying on the East Right-of-Way line of Vine Street; thence North along the East Right-of-Way line of Vine Street for a distance of approximately 12.00 feet to the Southwest corner of Lot 23 of said William T. Webber's Subdivision, said corner lying on the North Right-of-Way line of Goose Alley; thence East along the North Right-of-Way line of Goose Alley, said North Right-of-Way line also being the South line of Lots 23 and 21 of said William T. Webber's Subdivision, for a distance of approximately 276.00 feet to the Southeast corner of Lot 21 of said William T. Webber's Subdivision, said corner lying on the West Right-of-Way line of Urbana Avenue; thence North along the West Right-of-Way line of Urbana Avenue, said West Right-of-Way line also being the East line of Lots 21 and 22 of said William T. Webber's Subdivision, for a distance of approximately 148.40 feet to the Northeast corner of Lot 22 of said William T. Webber's Subdivision, said corner lying on the South Right-of-Way line of Water Street, said South Right-of-Way line also being the South line of Outlot 4 of the Original Outlots to the Town (now City) of Urbana; thence West along the South Right-of-Way line of Water Street, said South Right-of-Way line also being the South line of Outlot 4 of the Original Outlots to the Town (now City) of Urbana, and the North line of Lots 22 and 24 of said William T. Webber's Subdivision, for a distance of approximately 234.00 feet to a point lying on the East Right-of-Way line of Vine Street, said point lying 75.00 feet East of the centerline of Vine Street; thence North along the East Right-of-Way line of Vine Street for a distance of approximately 33.00 feet to the Point of Beginning, containing 0.5 acres, more or less, and all being situated in the City of Urbana, Champaign County, Illinois.

and

The following described alley area which was dedicated to the public by the Mary Markle Replat in the City of Urbana as recorded in Plat Book C at page 166 in the Champaign County Recorder's Office. It was never formally vacated, but was later replatted as a part of Lot 1 of the Earl Mackey Subdivision of a part of the Southeast Quarter, Southeast Quarter, Section 8, and Northeast Quarter, Northeast Quarter, Section 17, Township 19 North, Range 9 East, Third Principal Meridian, as recorded in Plat Book L at page 23 in the Champaign County Recorder's Office:

Beginning at the Southwest corner of Lot 1 of the Mary Markle Replat in the City of Urbana as recorded in Plat Book C at page 166 in the Champaign County Recorder's Office, said corner lying on the East Right-of-Way line of Urbana Avenue; thence East along the South line of Lot 1 of said Mary Markle Replat and the Easterly extension thereof, said line also being the North line of Lot 1 of

the Earl Mackey Subdivision of a part of the Southeast Quarter, Southeast Quarter, Section 8, and Northeast Quarter, Northeast Quarter, Section 17, Township 19 North, Range 9 East, Third Principal Meridian, as recorded in Plat Book L at page 23 in the Champaign County Recorder's Office, for a distance of approximately 132.00 feet to a point lying on the East line of a 12 foot wide alley as platted by said Mary Markle Replat, said East line also being the West line of Lot 4 of said Mary Markle Replat; thence South along the East line of a 12 foot wide alley as platted by said Mary Markle Replat, said East line also being the West line of Lot 4 of said Mary Markle Replat, for a distance of approximately 62.96 feet to a point lying on the South line of said Mary Markle Replat, said point being the Southwest corner of Lot 4 of said Mary Markle Replat; thence West along the South line of said Mary Markle Replat for a distance of approximately 12.00 feet to the Southeast corner of Lot A of said Mary Markle Replat, said corner being on the West line of a 12 foot wide alley as platted by said Mary Markle Replat; thence North along the West line of a 12 foot wide alley as platted by said Mary Markle Replat, said West line also being the East line of Lot A of said Mary Markle Replat, for a distance of approximately 50.96 feet to the Northeast corner of Lot A of said Mary Markle Replat, said corner being on the South line of a 12 foot wide alley as platted by said Mary Markle Replat; thence West along the South line of a 12 foot wide alley as platted by said Mary Markle Replat, said South line also being the North line of Lot A of said Mary Markle Replat, for a distance of approximately 120.00 feet to a point lying on the Southerly extension of the East Right-of-Way line of Urbana Avenue; thence North along the Southerly extension of the East Right-of-Way line of Urbana Avenue for a distance of approximately 12.00 feet to the Point of Beginning, containing 2,196 square feet, more or less, and all being situated in the City of Urbana, Champaign County, Illinois.

and

The following described tract which was reserved as a public passageway in a Warranty Deed dated August 16, 1917 and recorded February 7, 1918 in Book 170 at Page 24:

The East 8.25 feet of Lot 20 of William T. Webber's Subdivision of Outlots 5, 6, and 7 of the Original Addition of Outlots to the Town (now City) of Urbana, containing 1,251 square feet, more or less, and all being situated in the City of Urbana, Champaign County, Illinois.

and

The following described tract which is shown as a public alley on a Resurvey of Freeman's Replat, Urbana, Illinois, by Charles S. Danner, I. P. L. S. No. 1470, dated April 24, 1961 and recorded April 25, 1961 in Plat Book N at Page 26 as Document No. 662723:

Beginning at a point lying on the South line of Lot 4 of the Mary Markle Replat in the City of Urbana as recorded in Plat Book C at page 166 in the Champaign County Recorder's Office, said point lying 57.50 feet East of the Southwest corner of said Lot 4, and also lying on the West line of Freeman's Replat as recorded in Plat Book J at Page 25 as Document No. 477417; thence South along

2411 0159

the West line of said Freeman's Replat to a point lying on the North Right-of-Way line of Main Street; thence Northeasterly along said North Right-of-Way line of Main Street to a point lying 12.00 feet East of the West line of said Freeman's Replat; thence North along a line lying 12.00 feet East of and parallel to the West line of said Freeman's Replat to a point lying 45.00 feet North of the South line of Lot 4 of said Mary Markle Replat; thence West along a line being perpendicular to the West line of said Freeman's Replat for a distance of 12.00 feet to a point lying on the West line of said Freeman's Replat; thence South along the West line of said Freeman's Replat to the Point of Beginning, containing 1,416 square feet, more or less, and all being situated in the City of Urbana, Champaign County, Illinois.

all of which is depicted on the Plat of Vacation attached hereto and incorporated herein by reference.

Section 2. The City Clerk is directed to record a certified copy of this Ordinance with the Recorder of Champaign County, Illinois.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of three-fourths (3/4th's) 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 6th day of May, 1996.

**AYES:** Hayes, Kearns, Patt, Pollock, Ryan, Whelan  
**NAYS:**  
**ABSTAIN:**

Phyllis D. Clark  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 10<sup>th</sup> day of May, 1996.

Tod Satterthwaite  
Tod Satterthwaite, Mayor