

AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN  
PROPERTY BY PURCHASE OR EMINENT DOMAIN  
(718 North Hickory Street - Woodland Park Plan)

WHEREAS, after public hearings and proceedings before the Urbana Plan Commission, on November 20, 1995, the Urbana City Council adopted the Woodland Park Plan as an amendment to the Urbana Comprehensive Plan (Ordinance No. 9596-52); and

WHEREAS, among other recommendations, the Woodland Park Plan recommended the acquisition of certain designated real estate to achieve its goals; and

WHEREAS, the properties identified to be acquired, as is demonstrated in the Woodland Park Plan, not only lack frontage on a public street, but where such parcels contain buildings, such buildings are dilapidated and to implement the Woodland Park Plan, it is necessary that all parcels fronting on the dirt path known as North Hickory Street, excepting only 702 North Hickory Street, should be acquired as authorized under Section 5/11-13-17 of the Municipal Code.

NOW THEREFORE, BE IT ORDAINED BY THE URBANA CITY COUNCIL that:

Section 1. That the City Council hereby adopts as findings of facts, each and every finding recited in the preamble to this Ordinance.

Section 2. That it is necessary and in the public interest that the fee simple title to the following-described parcels of real estate be acquired by the City of Urbana to implement the Woodland Park Plan.

Beginning 463 feet South of the Northwest corner of Lot 6 of a Subdivision of the West 1/2 of the Southwest 1/4 of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian, as made by the Commissioners in the Estate of William T. Webber, thence East 60 feet to the true point of beginning, thence North 50 feet, thence East 20 feet to the West line of property sold to Clarence Tatman, Jr., thence South along the West line of said property 50 feet, thence West 20 feet to the true point of beginning;

commonly known as 718 North Hickory Street, Permanent Index Number 91-21-09-306-004

Section 3. That the City Attorney is hereby authorized and directed to negotiate for and on behalf of the City of Urbana, Illinois, with the owner or owners of the real estate described herein for the purchase thereof by the City of Urbana, Illinois.

Section 4. In the event that the City Attorney is unable to reach an agreement with the owners of said property as to the just compensation to be paid therefore, by May 23, 1997, then title to and possession of said real property described herein shall be acquired by the City of Urbana, Illinois through condemnation and the City Attorney is hereby authorized and directed to institute proceedings in a court of competent jurisdiction to acquire title to and possession of said property for the City of Urbana, Illinois, in accordance with the eminent domain laws of the State of Illinois.

Section 5. If any section, paragraph or provision of this Ordinance is held to be invalid or unenforceable, such invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance, or the provisions of the Code.

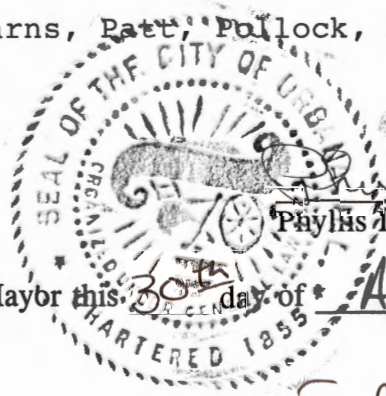
Section 6. The provisions of this Ordinance shall take precedence and be interpreted as superseding any other Ordinance or statute in conflict with the provisions of this Ordinance.

PASSED by the Urbana City Council this 21st day of April, 1997.

AYE: Hayes, Kearns, ~~Patt~~, Pollock, Ryan, Taylor, Whelan

NAY:

ABSTAIN:



Phyllis D. Clark  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 30th day of April, 1997.

Tod Satterthwaite  
Tod Satterthwaite, Mayor