

ORDINANCE NO. 9697-69

AN ORDINANCE VACATING A PORTION OF  
ELM STREET (JUMER'S)

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CHAMPAIGN COUNTY, ILL  
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*Barbara A. Ducea*  
RECORDER

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



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City of Urbana  
400 South Vine Street  
Post Office Box 219  
Urbana, Illinois 61801-0219  
(217) 384-2362  
FAX (217) 384-2363

### 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 A PORTION OF ELM STREET (JUMER'S) [Ord. No. 9697-69]

approved by the City Council of the City of Urbana, Illinois, on the 6th day of January, A.D., 1997, as it appears in the records and files in my office remaining.

Given under my hand and seal of said City of Urbana, Illinois, this 14th day of January, A.D., 1997.

(SEAL)



Phyllis D. Clark  
Phyllis D. Clark, City Clerk



ORDINANCE NO. 9697-69AN ORDINANCE VACATING A PORTION OF ELM STREET  
(Jumer's)

WHEREAS, the vacation of the portion of Elm Street, as provided herein, is in conformance with a prior agreement approved by Ordinance No. 8384-21 which was passed by the Urbana City Council on the 17th day of October, 1983, and approved by the Mayor on the 21st day of October, 1983, which provided that the portion of Elm Street herein vacated would be released to Jumer's Castle Lodge, Inc., a Delaware Corporation, as set forth therein; and

WHEREAS, the vacation of the portion of Elm Street, as provided herein, will not interfere with or impair the access rights of any private property; 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 12th day of November, 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 27th day of October, 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 4th day of November, 1996.

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 the portion of Elm Street as provided herein.

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

Section 1. The public street right-of-way described below is hereby vacated, reserving, however, 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 street right-of-way described below, unless and until the 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:

PARCEL 8 OF AN ALTA/ACSM LAND TITLE SURVEY OF THE JUMER'S CASTLE LODGE, INC. SITE, CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS, BY THOMAS B. BERNS DATED AUGUST 27, 1996 (UNRECORDED), FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 17 OF THE CENTRAL BUSINESS ADDITION, URBANA, ILLINOIS, AS PER PLAT RECORDED IN BOOK "O" AT PAGE 1, OF THE RECORDS OF CHAMPAIGN COUNTY, ILLINOIS, SAID POINT ALSO BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF BROADWAY AVENUE; THENCE SOUTH 88 DEGREES 37 MINUTES 09 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 17 AND THE NORTH LINE OF LOT 3 OF THE CENTRAL BUSINESS ADDITION AND THE NORTH LINE OF PARCEL 5 OF SAID ALTA/ACSM LAND TITLE SURVEY OF THE JUMER'S CASTLE LODGE, INC. SITE, A DISTANCE OF 174.26 FEET TO AN IRON PIPE SURVEY MONUMENT AT THE NORTHWEST CORNER OF SAID

THIS ORDINANCE CONSISTS OF 4 PAGES.

Initials DR

PARCEL 5, SAID POINT ALSO BEING THE NORTHEAST CORNER OF PARCEL 6 (CRANE ALLEY, NOW VACATED) OF SAID ALTA/ACSM LAND TITLE SURVEY OF THE JUMER'S CASTLE LODGE, INC. SITE; THENCE SOUTH 88 DEGREES 37 MINUTES 09 SECONDS WEST ALONG THE NORTH LINE OF SAID PARCEL 6, A DISTANCE OF 12.00 FEET TO AN IRON PIPE SURVEY MONUMENT AT THE NORTHWEST CORNER OF SAID PARCEL 6 (CRANE ALLEY, NOW VACATED), SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 8 OF SAID CENTRAL BUSINESS ADDITION; THENCE SOUTH 88 DEGREES 37 MINUTES 09 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 8 OF THE CENTRAL BUSINESS ADDITION, A DISTANCE OF 134.33 FEET TO AN IRON PIPE SURVEY AT THE NORTHWEST CORNER OF SAID LOT 8 OF THE CENTRAL BUSINESS ADDITION, SAID POINT ALSO BEING NORTH 88 DEGREES 37 MINUTES 09 SECONDS EAST, A DISTANCE OF 38.50 FEET FROM THE NORTHWEST CORNER OF LOT 11 OF SAID CENTRAL BUSINESS ADDITION; THENCE SOUTH 43 DEGREES 38 MINUTES 31 SECONDS WEST A DISTANCE OF 5.60 FEET TO AN IRON PIPE SURVEY AT THE WEST SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER; THENCE NORTH 29 DEGREES 30 MINUTES 00 SECONDS WEST, ALONG THE WEST SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 10.46 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE NORTH 63 DEGREES 41 MINUTES 13 SECONDS EAST, ALONG THE NORTH SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 9.62 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE NORTH 87 DEGREES 15 MINUTES 31 SECONDS EAST, ALONG THE NORTH SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 20.96 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE SOUTH 30 DEGREES 10 MINUTES 56 SECONDS EAST, ALONG THE NORTH SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 3.92 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE NORTH 60 DEGREES 31 MINUTES 26 SECONDS EAST, ALONG THE NORTH SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 8.26 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE NORTH 87 DEGREES 09 MINUTES 41 SECONDS EAST, ALONG THE NORTH SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 21.22 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE SOUTH 30 DEGREES 03 MINUTES 41 SECONDS EAST, ALONG THE NORTH SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 4.03 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE NORTH 62 DEGREES 15 MINUTES 02 SECONDS EAST, ALONG THE NORTH SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 8.81 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE NORTH 88 DEGREES 19 MINUTES 44 SECONDS EAST, ALONG THE NORTH SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 31.14 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE SOUTH 29 DEGREES 07 MINUTES 22 SECONDS EAST, ALONG THE EAST SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 8.94 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE NORTHEASTERLY ALONG THE HORIZONTAL CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 2.10 FEET, A DISTANCE OF 6.19 FEET ALONG THE NORTH SIDE OF THE EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER TO AN IRON PIPE SURVEY MONUMENT, SAID CURVE HAVING A CHORD DISTANCE OF 4.18 FEET AND A CHORD BEARING OF NORTH 61 DEGREES 25 MINUTES 37 SECONDS EAST; THENCE NORTHWESTERLY ALONG THE HORIZONTAL CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 25.00 FEET, A DISTANCE OF 10.37 FEET ALONG THE WEST SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER TO AN IRON PIPE SURVEY MONUMENT, SAID CURVE HAVING A CHORD DISTANCE OF 10.30 FEET AND A CHORD BEARING OF NORTH 37 DEGREES 05 MINUTES 45 SECONDS WEST; THENCE

NORTH 88 DEGREES 33 MINUTES 40 SECONDS EAST ALONG THE SOUTH SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE SIDEWALK, A DISTANCE OF 40.04 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE SOUTHWESTERLY ALONG THE HORIZONTAL CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 25.00 FEET, A DISTANCE OF 10.01 FEET ALONG THE EAST SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER TO AN IRON PIPE SURVEY MONUMENT, SAID CURVE HAVING A CHORD DISTANCE OF 9.94 FEET AND A CHORD BEARING OF SOUTH 33 DEGREES 28 MINUTES 50 SECONDS WEST; THENCE SOUTHEASTERLY ALONG THE HORIZONTAL CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 2.00 FEET, A DISTANCE OF 5.06 FEET ALONG THE NORTH SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER TO AN IRON PIPE SURVEY MONUMENT, SAID CURVE HAVING A CHORD DISTANCE OF 3.81 FEET AND A CHORD BEARING OF SOUTH 63 DEGREES 55 MINUTES 14 SECONDS EAST; THENCE NORTH 30 DEGREES 54 MINUTES 16 SECONDS EAST, ALONG THE WEST SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 8.95 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE NORTH 88 DEGREES 06 MINUTES 01 SECONDS EAST, ALONG THE NORTH SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 33.45 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE SOUTH 58 DEGREES 23 MINUTES 00 SECONDS EAST ALONG THE NORTH SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 8.45 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE NORTH 32 DEGREES 07 MINUTES 51 SECONDS EAST ALONG THE NORTH SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 5.87 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE NORTH 86 DEGREES 37 MINUTES 57 SECONDS EAST ALONG THE NORTH SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 23.32 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE SOUTH 59 DEGREES 23 MINUTES 25 SECONDS EAST ALONG THE NORTH SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 8.51 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE NORTH 33 DEGREES 21 MINUTES 06 SECONDS EAST ALONG THE NORTH SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 6.10 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE NORTH 85 DEGREES 13 MINUTES 17 SECONDS EAST ALONG THE NORTH SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 23.74 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE SOUTH 61 DEGREES 50 MINUTES 59 SECONDS EAST ALONG THE NORTH SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 8.50 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE NORTH 35 DEGREES 03 MINUTES 39 SECONDS EAST ALONG THE NORTH SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 5.90 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE NORTH 84 DEGREES 34 MINUTES 28 SECONDS EAST ALONG THE NORTH SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 23.83 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE SOUTH 59 DEGREES 13 MINUTES 23 SECONDS EAST ALONG THE NORTH SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 9.57 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE SOUTH 32 DEGREES 51 MINUTES 17 SECONDS WEST ALONG THE EAST SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER, A DISTANCE OF 8.03 FEET TO AN IRON PIPE SURVEY MONUMENT; THENCE SOUTHEASTERLY ALONG THE HORIZONTAL CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 2.60 FEET, A DISTANCE OF 7.17 FEET ALONG THE NORTH SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER TO AN IRON PIPE SURVEY MONUMENT, SAID CURVE HAVING A CHORD DISTANCE OF 5.10 FEET AND A CHORD BEARING OF SOUTH 60 DEGREES

41 MINUTES 03 SECONDS EAST; THENCE NORTHEASTERLY ALONG THE HORIZONTAL CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 23.00 FEET, A DISTANCE OF 20.01 FEET ALONG THE WEST SIDE OF AN EXISTING PORTLAND CEMENT CONCRETE CURB AND GUTTER TO AN IRON PIPE SURVEY MONUMENT, SAID CURVE HAVING A CHORD DISTANCE OF 19.30 FEET AND A CHORD BEARING OF NORTH 19 DEGREES 02 MINUTES 46 SECONDS EAST; THENCE SOUTH 88 DEGREES 52 MINUTES 12 SECONDS EAST A DISTANCE OF 33.07 FEET TO AN IRON PIPE SURVEY MONUMENT, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF BROADWAY AVENUE; THENCE SOUTH 01 DEGREES 10 MINUTES 03 SECONDS EAST ALONG THE WEST RIGHT-OF-WAY LINE OF BROADWAY AVENUE A DISTANCE OF 19.00 FEET TO THE POINT OF BEGINNING.

ALL AS SHOWN ON SAID ALTA/ACSM LAND TITLE SURVEY PREPARED BY THOMAS B. BERNS, DATED AUGUST 27, 1996, SAID TRACT BEING THE SAME TRACT REFERENCED IN A "GROUND LEASE WITH OPTION TO PURCHASE LEASED PREMISES AND FINANCING AGREEMENT" THAT WAS AUTHORIZED AND APPROVED BY THE CITY OF URBANA BY ORDINANCE NUMBER 8384-21, AND CONTAINING 3,970 SQUARE FEET (0.091 ACRES) MORE OR LESS, ALL AS SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

Section 2. Because the only private property which abuts upon the right-of-way herein vacated is property owned by Jumer's Castle Lodge, Inc., title to the vacated right-of-way shall vest in Jumer's Castle Lodge, Inc. at the time of passage of this Ordinance subject to the utility easements herein reserved.

Section 3. This Ordinance shall be effective immediately upon its passage and approval by the City Council of the City of Urbana, Illinois.

Section 4. The City Clerk is directed to record a certified copy of this Ordinance at the Office of the Recorder of Deeds, Champaign County, Illinois.

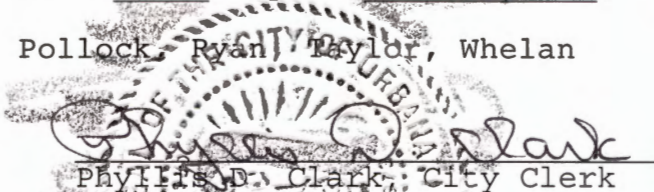
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" having been called of three-fourths (3/4th's) of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council.

PASSED by the City Council this 6th day of January, 1997.

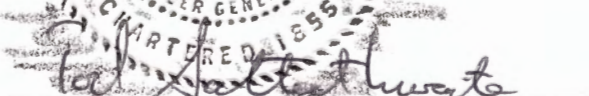
AYES: Hayes, Kearns, Patt, Pollock, Ryan, Taylor, Whelan

NAYS:

ABSTAINED:

  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 9th day of January, 1997.

  
Tod Satterthwaite, Mayor