

ORDINANCE NO. 9798-42

AN ORDINANCE AMENDING ORDINANCE NO.
9798-8 ENTITLED "AN ORDINANCE
VACATING A PORTION OF AN ALLEY LYING
SOUTH OF UNIVERSITY AVENUE AND WEST
OF MCCULLOUGH STREET (TRI-STAR) "

AND

PLAT MAP SHOWING STREET RIGHT-OF-WAY
VACATED BY ORDINANCE NO. 9798-8

97R28046

120
30
150

DOC # _____
CHAMPAIGN COUNTY, ILL

'97 NOV 12 PM 3 11

Barbara A. Brasca
RECORDER

PREPARED BY and

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

ORDINANCE NO. 9798-42

AN ORDINANCE AMENDING ORDINANCE NO. 9798-8 ENTITLED
"AN ORDINANCE VACATING A PORTION OF AN ALLEY LYING SOUTH
OF UNIVERSITY AVENUE AND WEST OF MCCULLOUGH STREET (TRI STAR)"

WHEREAS, the Urbana City Council did on the 21st day of July, 1997, adopt Ordinance No. 9798-8 entitled "An Ordinance Vacating a Portion of an Alley Lying South of University Avenue and West of McCullough Street" which was duly approved by the Mayor on the 28th day of July, 1997; and

WHEREAS, contrary to the expectation which was recited therein, that certain utilities did exist in the alley vacated therein, it has subsequently been discovered that there are no utilities therein and thus no need for the easement for utilities which is contemplated as being necessary before the said ordinance can take effect.

NOW THEREFORE, BE IT ORDAINED by the Urbana City Council that:

Section 1. The following language from Section 2 of Ordinance No. 9798-8 is hereby repealed:

"Furthermore, because of the uncertainty of the extent of the easements for utilities now in existence, and by agreement with the abutting owners, the vacation of the above said alley right-of-way shall become effective only upon the acceptance by the City Engineer and recordation of a Grant of Utility Easement within the vacated alley right-of-way from the abutting owner(s). Acknowledgment by the City Engineer that such Grant of Easement has been accepted and recorded shall be conclusive of the satisfaction of such condition.

Section 2. That the following language from Section 3 of Ordinance No. 9798-8 is hereby repealed:

If the City Engineer so acknowledges the acceptance and recording of the utility easement as set forth in Section 2 above,"

is hereby repealed.

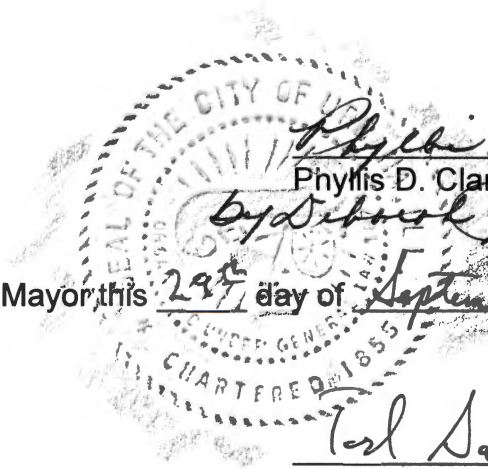
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council.

PASSED by the City Council this 15th day of September, 1997.

AYES: Hayes, Huth, Kearns, Patt, Taylor, Whelan, Wyman

NAYS:

PRESENT:



Phyllis D. Clark

Phyllis D. Clark, City Clerk

Deborah J. Roberts, Deputy Clerk

APPROVED by the Mayor, this 29th day of September, 1997.

Tod Satterthwaite

Tod Satterthwaite, Mayor

97R28046

ORCHARD STREET

McCULLOUGH STREET

UNIVERSITY AVENUE

SOUTH R-O-W LINE UNIVERSITY AVENUE

EAST LINE OF LOT 5 AND WEST LINE ALLEY R-O-W

S 83° 51' 11" W -- 16.06'

LOT 7

LOT 6

LOT 5

TRI-STAR PARCEL
DEED REC. BOOK 1408, PAGE 558
DOC. #85R11051

BLOCK 2

BUSEY'S 2ND ADDITION

COL. S.T.

EAST LINE OF ALLEY R-O-W AND WEST LINE OF TRI-STAR PARCEL

SOUTH R-O-W LINE SASSAFRAS ALLEY (NOW VACATED)

S 89° 28' 20" E -- 16.01'

(VACATED 16' WIDE SASSAFRAS ALLEY)

SOUTHWEST CORNER, TRI-STAR PARCEL

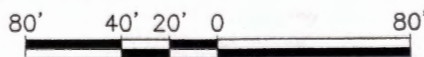
AREA OF VACATION:



PLAT MAP SHOWING STREET
RIGHT-OF-WAY VACATED
BY ORDINANCE NO. 9798-8
CITY OF URBANA,
CHAMPAIGN COUNTY, ILLINOIS
DATE: July 21, 1997

PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION

SCALE:



DRAWN: 6/5/97 K.L.H.

CHECKED: 6/19/97 B.W.F.

