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ORDINANCE NO. 9798-8

DOC # \_\_\_\_\_  
CHAMPAIGN COUNTY, ILL

AN ORDINANCE VACATING A PORTION OF AN ALLEY LYING SOUTH OF UNIVERSITY AVENUE AND WEST OF MCCULLOUGH STREET (TRI-STAR)

'98 OCT 16 PM 12 05

and

*Barbara A. Innes*  
RECORDER

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

Prepared for recording by:

*Robert J. Roberts*

*Deputy Clerk*



Return to:

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

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 AN ALLEY LYING SOUTH OF UNIVERSITY AVENUE AND WEST OF MCCULLOUGH STREET (TRI-STAR)" [Ord. No. 9798-8]

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approved by the City Council of the City of Urbana, Illinois, on the 21st day of July, 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 13th day of October, A.D., 1998.

(SEAL)



Phyllis D. Clark
Phyllis D. Clark, City Clerk

AN ORDINANCE VACATING A PORTION OF AN ALLEY  
LYING SOUTH OF UNIVERSITY AVENUE AND WEST OF MCCULLOUGH STREET  
(Tri-Star)

WHEREAS, a proper Petition to the City of Urbana, Illinois, has been filed requesting the vacation of a portion of an alley lying south of University Avenue, and West of McCullough Street extended which is described below; and

WHEREAS, the City Council of the City of Urbana, Illinois, has determined that the public interests will be subserved by vacating that portion of such alley considering the City shall be relieved of the further burden and responsibility of maintaining the said alley and considering the lack of public use of such alley; and

WHEREAS, no lot or parcel abutting upon said alley to be vacated would be deprived of access to public right-of-way by virtue of the vacation of said alley; and

WHEREAS, the City Council of the City of Urbana has determined that the portion of such alley should be vacated in accordance with the provisions of Resolution No. 7475-R19 entitled "A Resolution Regarding Policy on Vacation of Alleys, City of Urbana, Illinois".

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 portion of a City alley which is more specifically described as follows:

A public alley in the Southwest Quarter of Section 8, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, lying south of University Avenue, and west of McCullough Street extended, more particularly described as follows:

Beginning at the intersection of the South Right-of-Way line of University Avenue and the east line of Lot 5 of Block 2 of Col. S. T. Busey's 2nd Addition to the City of Urbana, per plat recorded in Deed Record Book 26, at Page 151, said east line also being the west Right-of-Way line of a public alley; thence South 01°06' 31" East, an assumed bearing, along the west Right-of-Way line of said alley, and said east line of Lot 5, and the southerly extension thereof, 155.46 feet to the south line of Sassafras Alley (now vacated); thence, South 89°-28'-20" East, along the south Right-of-Way line of said alley, 16.01 feet, to the southwest corner of a parcel of land described in a Warranty Deed recorded as Document Number 85R11051, in Deed Record Book 1408, at page 558, in the Office of the Recorder of Deeds, Champaign County, Illinois, said corner also being on the east Right-



of-Way line of said alley; thence northerly, along the west line of said Parcel, and along the east Right-of-Way line of said alley 157.32 feet to the south Right-of-Way line of University Avenue; thence South 83°-51'-11" West, along said south Right-of-Way line, 16.06 feet to the Point of Beginning.

Said alley containing 0.057 Acre (2,502 square feet), more or less, and situated in the City of Urbana, Champaign County, Illinois.

Section 2. That title to the vacated right-of-way shall vest in the owners of the land abutting thereon subject to any easement or easements in favor of the City or of 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 right-of-way herein vacated, 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. 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). Acknowledgement by the City Engineer that such Grant of Easement has been accepted and recorded shall be conclusive of the satisfaction of such condition.

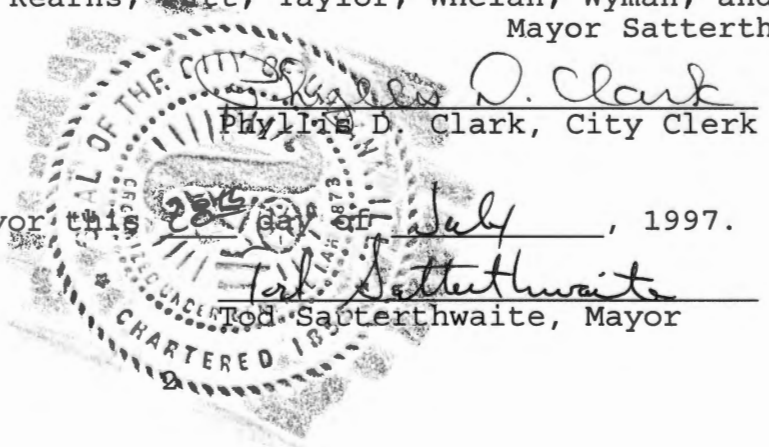
Section 3. If the City Engineer so acknowledges the acceptance and recording of the utility easement as set forth in Section 2 above, the City Clerk shall record a certified copy of this Ordinance in the Recorder's Office of Champaign County, Illinois.

Section 4. That the Plat of Vacation attached hereto is incorporated in this Ordinance by reference.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of three-fourth's (3/4th's) 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 21st day of July, 1997.

AYES: Hayes, Huth, Kearns, ~~Patt~~, Taylor, Whelan, Wyman, and  
NAYS: Mayor Satterthwaite  
PRESENT:



Phyllis D. Clark  
Phyllis D. Clark, City Clerk

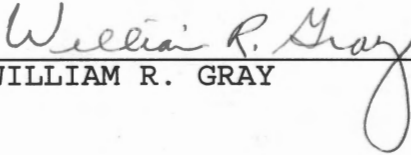
APPROVED by the Mayor this 28th day of July, 1997.

Rod Satterthwaite  
Rod Satterthwaite, Mayor

ACKNOWLEDGEMENT BY CITY ENGINEER

I the undersigned, William R. Gray, City Engineer hereby acknowledge that I have accepted and recorded a general Utility Easement in full satisfaction of the conditions of Section 2 above.

DATED: \_\_\_\_\_

  
\_\_\_\_\_  
WILLIAM R. GRAY

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.





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McCULLOUGH STREET

UNIVERSITY AVENUE

SOUTH R-O-W LINE UNIVERSITY AVENUE

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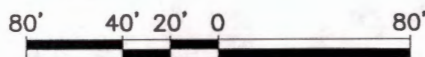
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