

ORDINANCE NO. 2001-05-046

**AN ORDINANCE AUTHORIZING THE MAYOR
TO EXECUTE A DEED TO A CERTAIN TRACT**

(Lot 101, Wabash Railroad Subdivision No. 2)

WHEREAS, after abandoning the railroad right-of-way, Norfolk & Western Railway Company did, on the 20th day of August, 1995, execute a deed conveying to the City of Urbana most of the abandoned right-of-way between Florida Avenue and Washington Street, excepting out of such deed only a stretch adjacent to the Scottswood Manor Apartments. This deed was recorded May 6, 1996 as Document No. 96R10761; and

WHEREAS, subsequent thereto, the City of Urbana created and recorded a subdivision plat in which the land which was subject to the deed referenced above was divided into lots adjacent to existing lots which plat was entitled "Wabash Railroad Subdivision" and recorded as Document No. 1997R08254; and

WHEREAS, subsequent thereto, in Ordinance No. 9697-110, the property which was subdivided in Wabash Railroad Subdivision was authorized to be conveyed to adjacent owners; and

WHEREAS, thereafter the City acquired a further deed from Norfolk & Southern Railroad which conveyed to the City that portion of the Urbana Railroad property which was excluded in the prior deed. This deed was recorded on June 14, 2000, as Document No. 2000R12916 and the portion of the property therein conveyed was platted in a subdivision plat recorded as Document No. 2000R08810 entitled "Wabash Railroad Subdivision No. 2"; and

WHEREAS, in Wabash Railroad Subdivision No. 2, what had been called Outlot No. 1 in the original subdivision was replatted, together with new area acquired in the subsequent deed which was then labeled as Lot 101 of Wabash Railroad Subdivision No. 2; and

WHEREAS, in Ordinance No. 2000-11-134, deeds to Lots 102 through and including Lot 112 of Wabash Railroad Subdivision No. 2 were authorized to be executed by the Mayor and recorded, however, due to conflicting claims regarding legal rights to Lot 101 of the Wabash Railroad Subdivision No. 2, the decision concerning the ultimate disposition of that lot was reserved; and

WHEREAS, a public hearing was held on the 23rd day of April, 2001, after Notice of Publication in the News Gazette on the 1st day of April, 2001, which date was at least fifteen (15) days prior to such public hearing on the question of the transfer or sale of such property.

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

Section 1. The Mayor of the City of Urbana is authorized to execute a deed quit claiming to Edward A. Salfelder, Jr. and Edward A. Salfelder, Sr. p Lot 101 of Wabash Railroad Subdivision No. 2 upon receipt by the City of the sum of Seven Thousand, Twenty-Eight Dollars (\$7,028.00), said sum being the amount of money that the City paid to improve Lot 101 by lowering the abandoned railroad right-of-way embankment that formerly transversed Lot 101.

Section 2. Provided, however, that Lot 101 of Wabash Railroad Subdivision No. 2 may be developed only in combination with Tract "C" of Modern Research Plat, as shown on a plat prepared by M. H. Kinch, ILS#358, and recorded June 25, 1958, in Plat Book "M" at page 33, in the Office of the Recorder of Deeds, Champaign County, Illinois, or other adjacent buildable lot.

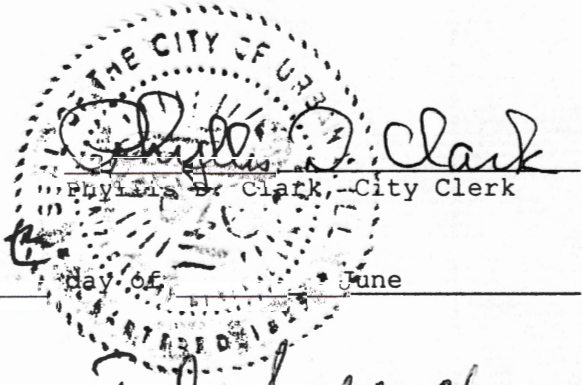
PASSED by the City Council this 4th day of June,

2001 .

AYES: Chynoweth, Hayes, Huth, Otto, Patt, Whelan, Wyman, and
Mayor Satterthwaite

NAYS:

ABSTAINS:



Phyllis B. Clark
Phyllis B. Clark, City Clerk

APPROVED by the Mayor this 13th day of June,

2001 .

Tod Satterthwaite
Tod Satterthwaite, Mayor