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ORDINANCE NO. 2002-05-048

AN ORDINANCE VACATING AN ALLEY BETWEEN
GOODWIN AVENUE AND HARVEY STREET, NORTH
OF CLARK STREET

2014R11968

REC ON: 07/09/2014 11:14:01 AM
CHAMPAIGN COUNTY
BARBARA A. FRASCA, RECORDER
REC FEE: 43.00
PAGES 4
PLAT ACT: OPLAT PAGE:

Prepared for recording by:

Phyllis D. Clark

400 S. Vine Street, Urbana, IL

(G)

Return to:

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

AN ORDINANCE VACATING AN ALLEY

(Between Goodwin Avenue and Harvey Street, North of Clark Street)

WHEREAS, in an agreement with the Board of Trustees of the University of Illinois relating to various rights of way and other related matters, which agreement was approved by the Urbana City Council in Ordinance No. 2001-08-083, the City of Urbana agreed that the vacation of the alley described in this Ordinance was in the best interests of the public; and

WHEREAS, the University of Illinois owns all of the real property which abuts on both sides of the alley herein vacated; and

WHEREAS, the vacation of the alley described below will not impair access to any property other than that property owned by the University of Illinois; and

WHEREAS, the City Council has determined that the nature and extent of the public use or public interest to be subserved is such as to warrant the vacation of the alley sought therein to be vacated.

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, the following-described alley:

A portion of the Southeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

All of the east-west public alley in the block bounded by University Avenue on the north, Clark Street on the south, Goodwin Avenue on the west and Harvey Street on the east. Said alley being adjacent to Lots 7, 8, 9, 10, 11, 12, 13 and 14 in Jonathan N. Houser's Heirs Subdivision of Lots

24 and 25 of M. W. Busey's Heirs Addition to
Urbana.

Said tract containing 3,514 square feet, more or less, all
situated in the City of Urbana, Champaign County, Illinois.

Section 2. The City Council of the City of Urbana, Illinois, hereby
finds and determines that the public interests will be subserved as a result of
this vacation ordinance because the nature and extent of the public use or
public interests in such alley is such as to warrant the vacation, especially
when considering the relief to the public from further burden and
responsibility of maintaining the alley herein vacated. Furthermore, the
aforementioned agreement with the Board of Trustees of the University of
Illinois addresses the appropriate compensation for all matters in connection
herewith.

Section 3. This ordinance shall become effective immediately. The Board
of Trustees of the University of Illinois owns the parcels which abut upon the
alley vacated herein.

Section 4. The title to the vacated alley shall vest in the Board of
Trustees of the University of Illinois subject to any easement or easements in
favor of the City or others 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 right of way, unless and until
such owner 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.

Section 5. That the City Clerk is directed to record a certified copy of
this ordinance with the Recorder of Champaign County, Illinois.

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

PASSED by the City Council this 20th day of May,
2002 .

AYES: Chynoweth, Hayes, Huth, Otto, Patt, Wyman

NAYS: Whelan

ABSTAINS:



Phyllis D. Clark
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 20th day of May,
2002 .

Tod Satterthwaite
Tod Satterthwaite, Mayor