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2003R32260

Recording Cover Sheet

RECORDED ON  
07-25-2003 12:55:08

ORDINANCE NO. 2003-04-038

CHAMPAIGN COUNTY  
RECORDER  
BARBARA A. FRASCA

AN ORDINANCE VACATING AN ALLEY (RUNNING 143.88  
FEET NORTH FROM NEVADA STREET IN THE 300 BLOCK  
OF WEST NEVADA STREET)

REC. FEE: 25.00  
REV FEE:  
PAGES: 4  
PLAT ACT: 0  
PLAT PAGE:

Prepared for recording by:

Deborah J. Roberts, Deputy City Clerk

400 S. Vine Street, Urbana, IL 61801

Return to:

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

**AN ORDINANCE VACATING AN ALLEY**

(Running 143.88 Feet North From Nevada Street  
in the 300 Block of West Nevada Street)

WHEREAS, the owner of the parcel abutting on the subject alley on the east side thereof has submitted a Petition to the City of Urbana praying that a portion of a certain alley be vacated; and

WHEREAS, the owners of the parcel abutting on the subject alley on the west thereof have "authorized" the City to vacate the subject alley as expressed in the document entitled "Waiver of Rights and Quit Claim", signed by the said owners on May 1, 2002, and recorded on June 10, 2002, as Document Number 2002R18428; and

WHEREAS, the vacation of the portion of the alley described herein will not materially impair access to any property; 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 portion of the alley sought herein 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 right-of-way:

All of the north-south public alley adjacent to Lots 6 and 7 of Rollin L. Whitcomb's Subdivision of Outlot 9 of James S. Busey's Addition of Outlots to the Town, now City of Urbana, as shown on a plat recorded in Plat Book "I" at page 162 in the Office of the Recorder of Deeds, 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 to be subserved is such as to warrant the vacation,

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especially when considering the relief to the public from further burden and responsibility of maintaining the right-of-way herein vacated.

Section 3. 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 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 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.

Section 4. Pursuant to Resolution 9899-R2, the subject alley herein vacated being a residential alley, the Council determines that no compensation from the abutting owners is due.

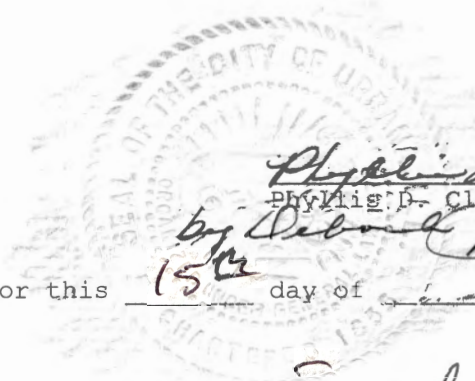
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of three-fourths (3/4<sup>th</sup>'s) of the Aldermen then holding office of the City of Urbana, Illinois, at a regular meeting of said City Council.

PASSED by the City Council this 5th day of May,  
2003 .

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

NAYS:

ABSTAINS:



Phyllis D. Clark  
Phyllis D. Clark, City Clerk

by Deborah J. Kellogg  
Deputy Clerk

APPROVED by the Mayor this 15th day of May,  
2003 .

Tod Satterthwaite  
Tod Satterthwaite, Mayor

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PLAT MAP SHOWING PUBLIC  
 RIGHT-OF-WAY VACATED  
 BY ORDINANCE NO. 2003-04-038  
 CITY OF URBANA, ILLINOIS  
 DATE: May 5, 2003

**City of Urbana**  
**Public Works Dept.**  
**Engineering Division**

Drawn by: PLC/BWF      Date: 01/07/03