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Recording Cover Sheet

ORDINANCE NO. 2003-05-049

AN ORDINANCE VACATING THE WESTERN PORTION OF AN
ALLEY RUNNING EAST FROM RACE STREET, NORTH OF
WATER STREET

(PLAT MAP ATTACHED)

2012R16205
REC ON: 07/03/2012 4:19:00 PM
CHAMPAIGN COUNTY
BARBARA A. FRASCA, RECORDER
REC FEE: 25.00
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:

(9)
Phyllis D. Clark, City Clerk
City of Urbana
400 S. Vine Street
Urbana, IL 61801

AN ORDINANCE VACATING THE WESTERN PORTION OF AN ALLEY RUNNING EAST FROM RACE STREET, NORTH OF WATER STREET

WHEREAS, there exists a public alley ("Subject Alley") running east from Race Street approximately 186 feet to midblock, where such alley formerly connected with Crane Alley (vacated in Ordinance No. 7172-91) which previously ran south therefrom to Water Street; and

WHEREAS, all buildings which formerly fronted on Race Street that abutted upon the subject alley have been razed, and the City as owner of such parcels is seeking to promote redevelopment of such parcels; and

WHEREAS, it has been determined that vacating the subject alley which separates the parcels on Race Street to be redeveloped is in the best interests of the public for reasons set forth herein; and

WHEREAS, it has been determined that the vacation of the subject alley would not materially impair access to any property; and

WHEREAS, it has been determined that the nature and extent of the public use of the subject alley is minimal, and to continue the subject alley as public right-of-way will entail expenditure of funds which is not in the public interest.

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 hereby vacates, subject to the terms set forth in this Ordinance, the following-described alley right-of-way:

All of the westerly 138.09 feet of the east-west public alley adjacent to Lot 2 of Besore Brothers Estate Replat as shown on a plat prepared July 14, 1922 and recorded in Plat Book "D" at page 282 in the Office of the Recorder of Deeds, Champaign County, Illinois, said alley also being all of the said east-west public alley adjacent to Lot 4 of Timpone Plaza, as shown on a plat dated April 26, 1996, prepared by David E. Atchley, Illinois Professional Land Surveyor Number 2950, and recorded in Plat Book "CC" at page 203 in the Office of the Recorder of Deeds, Champaign County, Illinois. Said alley containing 1,657.08 S.F., more or less, all situated in the City of Urbana, Champaign County, Illinois.

the legal description as is further described in the attached plat map.

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, 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 City of Urbana as owner 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. This Ordinance shall be in full force and effect from and after its passage.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of three-fourths (3/4th'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 19th day of May,
2003.

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

NAYS:

ABSTAINS:

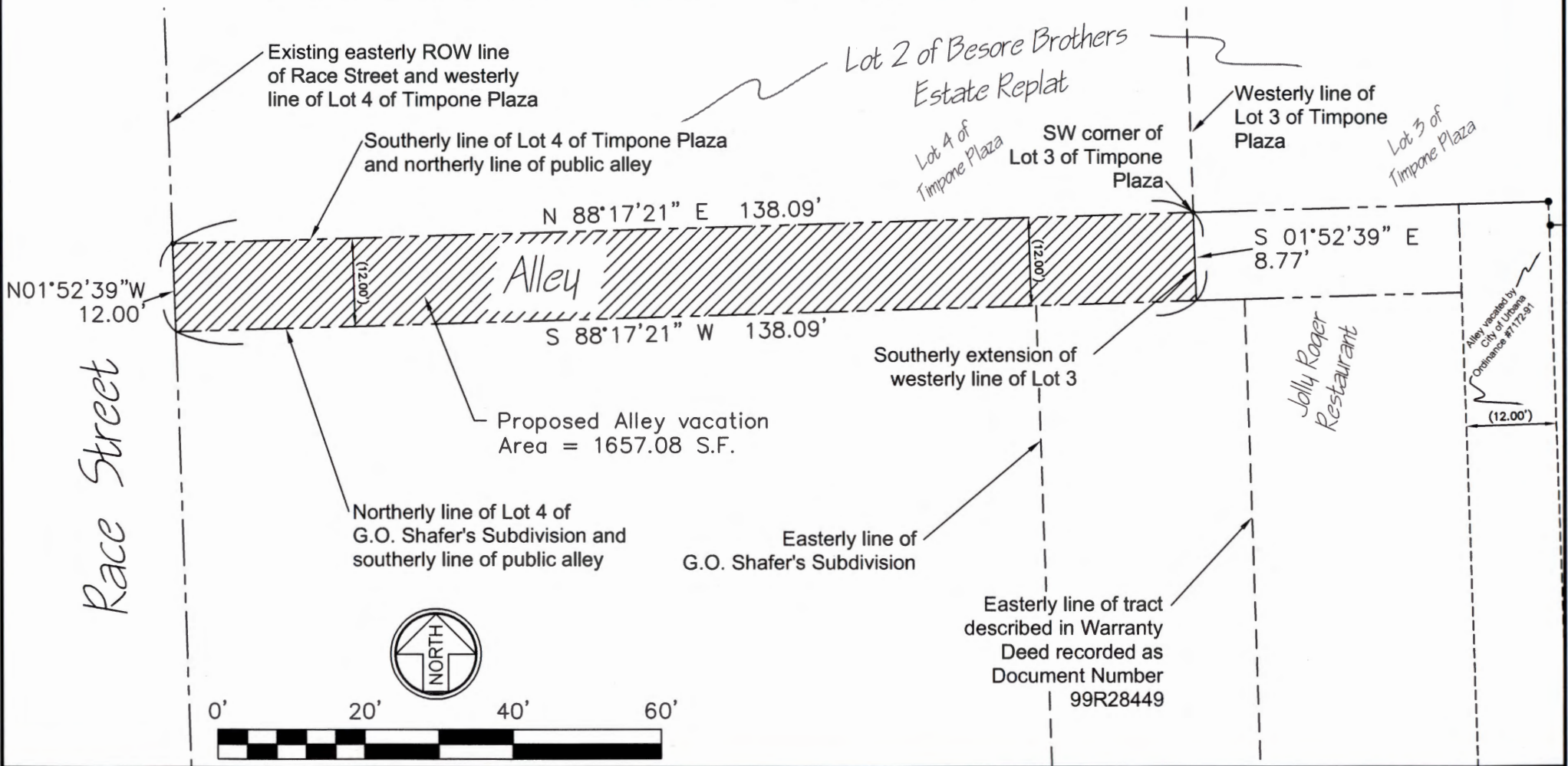
APPROVED by the Mayor this 19th day of May,
2003.



Phyllis D. Clark
Phyllis D. Clark, City Clerk
Robert J. Sattertnwaite
Robert J. Sattertnwaite, Mayor

Plat of Alley Vacation

All of the westerly 138.09 feet of the east-west public alley adjacent to Lot 2 of Besore Brothers Estate Replat as shown on a plat prepared July 14, 1922 and recorded in Plat Book "D" at page 282 in the Office of the Recorder of Deeds, Champaign County, Illinois, said alley also being all of the said east-west public alley adjacent to Lot 4 of Timpone Plaza, as shown on a plat dated April 26, 1996, prepared by David E. Atchley, Illinois Professional Land Surveyor Number 2950, and recorded in Plat Book "CC" at page 203 in the Office of the Recorder of Deeds, Champaign County, Illinois. Said alley containing 1,657.08 S.F., more or less, all situated in the City of Urbana, Champaign County, Illinois.



PLAT MAP SHOWING PUBLIC RIGHT-OF-WAY VACATED
 BY ORDINANCE NO. 2003-05-049
 CITY OF URBANA, ILLINOIS
 DATE: May 19, 2003

William R. Gray
 William R. Gray
 Public Works Director/City Engineer

City of Urbana
 Public Works Department
 Engineering Division
 Date: 5/6/2003 Drawn by: BWF

