

**AN ORDINANCE VACATING
A PORTION OF PARK STREET AND MAPLE STREET**

WHEREAS, Five Points Northeast, LLC, previously dedicated as a right-of-way the real estate herein vacated as part of the platting process for Five Points Northeast Subdivision; and

WHEREAS, it has since been determined that the said right-of-way therein dedicated was not needed or desired by the City of Urbana, and Five Points Northeast, LLC has consented that the said portion of the right-of-way be vacated; and

WHEREAS, the dedicated right-of-way herein vacated is only ten (10') feet of even width, leaving a full width of fifty (50') feet on Maple Street and forty (40') feet on Park Street of right-of-way, it is determined that the provisions of Section 2-160 of the Urbana City Code does not apply in that the right-of-way shall remain fully open for public use and will not impair access to any property other than that property owned by Five Points Northeast, LLC..

NOW, THEREFORE, BE IT ORDAINED:

Section 1. That the following described portion of Lot 103 and Lot 102 are hereby vacated, such having been determined to be no longer required by the City of Urbana for street right-of-way purposes and thus, the public interest shall be subserved by vacating the same:

A part of the southeast quarter of Section 8, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, being more particularly described as follows:

Beginning at the northeast corner of Lot 103 of Five Points Northeast Subdivision, as shown on a plat prepared by William E. Sheridan, Illinois Professional Land Surveyor Number 2031, and recorded on April 27, 2005, as Document Number 2005R10989, in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, S 89 DEGREES 42 MINUTES 49 SECONDS W, along the north line of said Lot 103, said line also

being the existing southerly Right-of-Way line of Park Street, a distance of 262.47 feet, to the northeast corner of Lot 102 of said subdivision; thence, continuing, S 89 DEGREES 42 MINUTES 49 SECONDS W, along the northerly line of said Lot 102, and said existing southerly Right-of-Way line of Park Street, a distance of 37.53 feet; thence, N 00 DEGREES 00 MINUTES 30 SECONDS E, a distance of 10.00 feet; thence, N 89 DEGREES 42 MINUTES 49 SECONDS E, along a line parallel with and 10.00 feet northerly of, said existing southerly Right-of-Way line of Park Street, and the easterly extension thereof, a distance of 310.00 feet; thence, S 00 DEGREES 00 MINUTES 30 SECONDS W, along a line parallel with, and 10.00 feet easterly of the existing westerly Right-of-Way line of Maple Street, a distance of 260.01 feet, to the easterly extension of the southerly line of said Lot 103; thence, S 89 DEGREES 47 MINUTES 37 SECONDS W, along said easterly extension, a distance of 10.00 feet, to the southeast corner of said Lot 103; thence, N 00 DEGREES 00 MINUTES 30 SECONDS E, along the easterly line of said Lot 103, a distance of 250.00 feet, to the Point of Beginning. Said vacation having an area of 5,599.922 square feet (0.129 acres), more or less, all situated in the City of Urbana, Champaign County, Illinois.

Section 2. The vesting of title in the portion of the right-of-way so vacated in the abutting property owner or owners shall be subject to an easement to all public utilities, their successors and assigns to operate, maintain, renew and reconstruct their facilities affected by this vacation as now operated and maintained in, over and under the portion of the right-of-way vacated unless the said abutting property owner or owners shall compensate the said utilities for such reasonable expense as shall be incurred by said utilities in connection with the rearrangement, removal or relocation of said facilities.

Section 3. The right-of-way herein vacated shall attach to and become a part of the parcel number identified by PIN #91-21-08-427-007.

Section 4. This Ordinance shall be effective immediately upon its passage by the City Council and approval by the Mayor of the City of Urbana, Illinois.

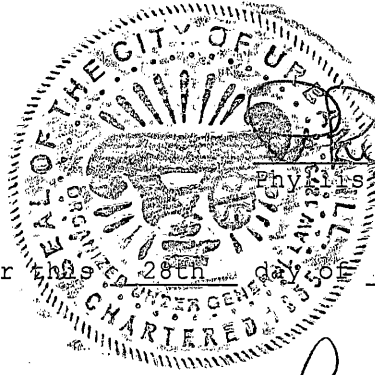
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a three-fourth's (3/4th's) vote of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council.

PASSED by the City Council this 18th day of July,
2005 .

AYES: Barnes, Bowersox, Chynoweth, Lewis, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:



Phyllis D. Clark
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 28th day of July,
2005 .

Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor