

6N



* 2 0 0 8 R 3 0 6 7 9 6 *

2008R30679

Recording Cover Sheet

ORDINANCE NO. 2008-11-132

AN ORDINANCE VACATING A PORTION OF BUSEY AVENUE
BETWEEN PARK STREET AND CHURCH STREET

and

PLAT MAP SHOWING PUBLIC RIGHT-OF-WAY VACATED

RECORDED ON
12/18/2008 12:59:41PM
CHAMPAIGN COUNTY
RECORDER
BARBARA A. FRASCA
REC FEE: 27.00
RHSPS Fee:
REV FEE:
PAGES 6
PIAT ACT: 0
PIAT PAGE:

Prepared for recording by:

Deborah J. Roberts, Deputy City Clerk

400 S. Vine Street, Urbana, IL 61801

Return to:

(G)

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

**AN ORDINANCE VACATING A PORTION OF BUSEY AVENUE
BETWEEN PARK STREET AND CHURCH STREET**

WHEREAS, the Carle Foundation owns all of the real property which abuts on both sides of that portion of Busey Avenue herein vacated; and

WHEREAS, Carle Foundation has requested such portion of Busey Avenue to be vacated; and

WHEREAS, the vacation of such portion of Busey Avenue will not impair access to any property other than that property owned by Carle Foundation; and

WHEREAS, in accordance with the requirements of Section 2-160 of the Urbana City Code, a public hearing was held on the 27th day of October, 2008, which said date was more than fifteen (15) days, but less than thirty (30) days following the publication of the Notice of Hearing in a newspaper of general circulation in the City of Urbana, to-wit, said publication having occurred on the 8th day of October, 2008, and the Zoning Administrator also caused to be mailed, a copy of the said Notice so published, to each of the last known taxpayers of record of all properties adjacent to or within 250' in each direction of the portion of the street proposed to be vacated, said mailing having been accomplished on the 9th day of October, 2008.

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

Section 1. That the following described portion of Busey Avenue is 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 portion of the Busey Avenue Right-of-Way, in the Southwest Quarter of Section 8, Township 19 North, Range 9 East

of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

All that part of the Busey Avenue Right-of Way, between the existing northerly Right-of-Way line of Park Street (formerly First Street) and the existing southerly Right-of-Way line of Church Street (formerly Second Street), as shown on the plat of M. W. & G. W. Busey's Subdivision of Lot "D" and the West 396 feet of the South 67.4 feet of Lot "B" of S. H. Busey's Survey, as recorded in Plat Book "B", at page 120 in the Office of the Recorder of Deeds, Champaign County, Illinois. Said Right-of-Way being sixty feet (60') in width.

Said tract containing 0.38 acre (16,560 square feet), 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 #91-21-08-303-011, 91-21-08-303-012, 91-21-08-303-024, 91-21-08-306-001 & 91-21-08-306-006.

Section 4. The City Council of the City of Urbana, Illinois, finds and determines that \$126,190.00 is the amount of money which is equal to the benefits which will accrue to the owners of the abutting properties by reason of this Vacation Ordinance; and this Ordinance shall not be effective until payment of such sum has been made to the Comptroller of the City of Urbana, Illinois.

Section 5. The City Clerk is directed to record a certified copy of this ordinance when the Comptroller advises the Clerk that the sum set forth in Section 4 has been received by the City. The recording of this Ordinance in the Office of the Recorder shall be proof that such payment has been made.

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 alderpersons of the City of Urbana, Illinois, at a regular meeting of said Council.

PASSED by the City Council this 17th day of November, 2008.

AYES: Bowersox, Gehrke, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:



Walter D. Clark
City Clerk

Robert
Deputy Clerk

APPROVED by the Mayor this 24th day of November,

2008.

Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor



City of Urbana
400 South Vine Street
Urbana, IL 61801

CLERK'S CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF CHAMPAIGN)

I, PHYLLIS D. CLARK, City Clerk of the City of Urbana, Illinois, and keeper of the records, files and seal of said City, do hereby certify that the foregoing is a true and exact copy of an ordinance entitled:

[Ord. No. 2008-11-132] **"AN ORDINANCE VACATING A PORTION OF BUSEY AVENUE BETWEEN PARK STREET AND CHURCH STREET"**

approved by the City Council of the City of Urbana, Illinois, on the 17th day of November, AD, 2008, as it appears in the records and files in my office remaining.

Given under my hand and seal of said City of Urbana, Illinois, this 17th day of December, AD, 2008.


Phyllis D. Clark, City Clerk

