

52



8 0 2 3 8 6 0
Tx:4010946

Recording Cover Sheet

ORDINANCE NO. 2011-03-017

AN ORDINANCE VACATING MULBERRY ALLEY (LINCOLN AVENUE TO BUSEY AVENUE)

and

PLAT MAP SHOWING PUBLIC RIGHT-OF-WAY VACATED

[Note: Ordinance previously recorded with County Recorder (Doc #2011R09352) did not include the plat map.]

2012R12475
REC ON: 05/21/2012 4:17:00 PM
CHAMPAIGN COUNTY
BARBARA A. FRASCA, RECORDER
REC FEE: 26.00
PAGES 5
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

ORDINANCE NO. 2011-03-017

AN ORDINANCE VACATING MULBERRY ALLEY

(Lincoln Avenue to Busey Avenue)

WHEREAS the Tekton Group LLC Series Corner North owns all of the real property which abuts on the north and south sides of that portion of Mulberry Alley herein vacated; and

WHEREAS the Tekton Group LLC Series Corner North has requested such portion of Mulberry Alley to be vacated and attached to the north side of that portion of Mulberry Alley herein vacated; and

WHEREAS the vacation of such portion of Mulberry Alley will not impair access to any property other than that property owned by the Tekton Group LLC Series Corner North.

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

Section 1. 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 streets is such as to warrant the vacation, especially when considering the relief to the public from further burden and responsibility of maintaining the rights of way herein vacated, accordingly, the following portion of Mulberry Alley is hereby vacated to Tekton Group LLC Series Corner North and shall be attached to the real property which abuts the north side of said vacated Mulberry Alley:

All of the east-west public alley, commonly known as Mulberry Alley, in the block bounded on the north by University Avenue, on the south by Clark Street, on the west by Lincoln Avenue and on the east by Busey Avenue. Said public alley right-of-way being as shown on the plat of "Col. M.W. Busey's Heirs Addition to the Town of Urbana" and recorded in Deed

Record Book 8 at page 444 in the Office of the Recorder of Deeds, Champaign County, Illinois and being 16.5 feet in width.

Said tract containing 8,025.93 S.F., 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 north 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 the vacation as now operated and maintained in, over and under the portion of the right-of-way vacated unless the said abutting north property owner or owners shall compensate the said utilities in connection with the rearrangement, removal or relocation of said facilities.

Section 3. The following listed parcels which abut the public right-of-way herein vacated on the north side will, by operation of law, pursuant to the provisions of Section 5/11-91-2 of the Illinois Municipal Code and this ordinance, acquire title to the vacated property: 91-21-08-352-013 and 91-21-08-352-003.

Section 4. In accordance with Resolution 9899-R2 regarding the City's policy of vacating alleys, the City Council of the City of Urbana, Illinois, finds and determines that \$50,000 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.

Section 5. Although Tekton Group LLC Series Corner North owns all of the real property which abuts on the north and south sides of that portion of Mulberry Alley herein vacated, only the owner of the parcels bearing PIN #'s 91-21-08-352-013 and 91-21-08-352-003 shall be required to pay the compensation found to be due as a consequence of this vacation. In lieu of payment in cash of the amount determined by the Council as the value of the benefit conferred on the north abutting owner by virtue of the vacation

herein, the City accepts as compensation the conveyance to the City of fee simple title (free of encumbrances except 2011 real estate taxes) of the real property bearing the common street address of 909 N Lincoln (PIN# 97-21-07-202-020) which property was appraised to have a fair market value of \$85,000.

Section 6. The City Clerk is directed to record a certified copy of this ordinance when the City Attorney advises the Clerk that the Deed of Conveyance set forth in Section 5 had been received by the City. The recording of this Ordinance in the Office of the Recorder shall be sufficient proof that such Deed of Conveyance has been received by the City.

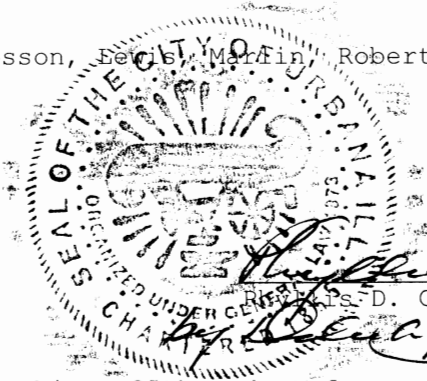
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a three-fourth's (3/4ths) vote of the alderpersons of the City of Urbana, Illinois, at a regular meeting of said Council.

PASSED by the City Council this 18th day of April, 2011.

AYES: Bowersox, Jakobsson, ~~Beck~~, Martin, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:



Richard M. Clark
Richard M. Clark, City Clerk

Robert J. ...
Deputy Clerk

APPROVED by the Mayor this 25th day of April, 2011.

Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor