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RECORDING COVER SHEET

2014R21137
REC ON: 11/14/2014 2:22:35 PM
CHAMPAIGN COUNTY
BARBARA A. FRASCA, RECORDER
REC FEE: 44.00
PAGES 5
PLAT ACT: OPLAT PAGE:

ORDINANCE NO. 2014-10-094

**AN ORDINANCE VACATING A RIGHT-OF-WAY
(Smith Lane south of Lantern Hill Drive)
(MAP SHOWING AREA TO BE VACATED
ATTACHED)**

Prepared for recording by:

Phyllis D. Clark, City Clerk

400 S. Vine Street, Urbana, IL 61801

Return to:

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

Passed: October 20, 2014

Signed: October 24, 2014

ORDINANCE NO. 2014-10-094

**AN ORDINANCE VACATING A RIGHT-OF-WAY
(Smith Lane south of Lantern Hill Drive)**

WHEREAS, Section 11-61-2 of the Illinois Municipal Code (65 ILCS 5/11-61-2) provides that the corporate authorities of a municipality may vacate streets, alleys, avenues, sidewalks, wharves, parks, and public grounds; and

WHEREAS, the requirements of Urbana City Code § 2-160 for a public hearing and for public notice of such hearing do not, pursuant to the terms thereof, apply to an ordinance vacating public grounds other than a public street; and

WHEREAS, the owners of the property commonly known as 1003 South Smith Road, which is identified by permanent index number 91-21-15-326-011, and the property commonly known as 2311 Lantern Hill Drive, which is identified by permanent index number 91-21-15-304-022, have petitioned the City to vacate an unimproved right-of-way abutting their properties, located on South Smith Lane south of Lantern Hill Drive, and more particularly described herein; and

WHEREAS, the City Council finds that the said right-of-way is of no further use to the City except as hereinafter provided; and

WHEREAS, the City Council finds that the relief to the public from the further burden and responsibility of maintaining the right-of-way herein vacated is just and adequate compensation for the benefits which will accrue to the said owners of the abutting property; and

WHEREAS, certain public service facilities are situated in the right-of-way to be vacated; and

WHEREAS, the City Council further finds that the public interest is best served by the City's retention of a permanent easement in the right-of-way to

be vacated for the maintenance, renewal, and reconstruction of those facilities; and

WHEREAS, the City Council has determined that, other than the reservation of a permanent easement for public service facilities as provided below, the public interest is subserved by this vacation of said right-of-way.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

Section 1.

The City Council of the City of Urbana, Illinois, hereby vacates, subject to the terms set forth in this Ordinance, the following-described right-of-way:

All of the public right-of-way south of the southerly right-of-way line of Lantern Hill Drive as shown on the Sixth Plat of Country Squires Estates, as per plat recorded April 13, 1965, as Document Number 1965R727465 in the Office of the Recorder of Deeds, Champaign County, Illinois. Said right-of-way being shown as "Smith Lane" on said plat, and being 13.5 feet in width and adjacent to Lot 1350 of said Sixth Plat of Country Squires Estates and Lot 2 of Rainbow Subdivision, as shown on a plat recorded April 28, 1994 as Document Number 1994R11481 in the Office of the Recorder of Deeds, Champaign County, Illinois. Said right of way containing 1,620 square feet, more or less, all situated in the City of Urbana, Champaign County, Illinois.

The permanent index numbers of the properties abutting the right-of-way described above are 91-21-15-326-011 and 91-21-15-304-022.

Section 2.

Upon vacation of the above described right-of-way, title to the west half thereto shall vest in the owner of the property with permanent index number 91-21-15-304-022, and title to the east half thereto shall vest in the owner of the property with permanent index number 91-21-15-326-011, subject to the

following condition:

A perpetual easement upon said vacated right-of-way is hereby reserved for and granted to the City of Urbana, Illinois, or others 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.

Section 3.

The Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver and the City Clerk of the City of Urbana, Illinois, be and the same is hereby authorized to attest to said execution of a plat of the vacated right-of-way, in substantially the form of the copy of said plat attached hereto and hereby incorporated by reference, which specifically includes the easement language contained in Section 2 of this Ordinance, as so authorized and approved for and on behalf of the City of Urbana, Illinois.

Section 4.

The City Clerk is directed to record a certified copy of this Ordinance with the Champaign County Office of the Recorder of Deeds.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of three-fourths of all the alderpersons then holding office (6 of 7 votes) of the City of Urbana, Illinois, at a regular meeting of the City Council.

PASSED BY THE CITY COUNCIL this 20th day of October, 2014.

AYES: Ammons, Brown, Jakobsson, Madigan, Marlin, Roberts, Smyth

NAYS:

ABSTAINED:

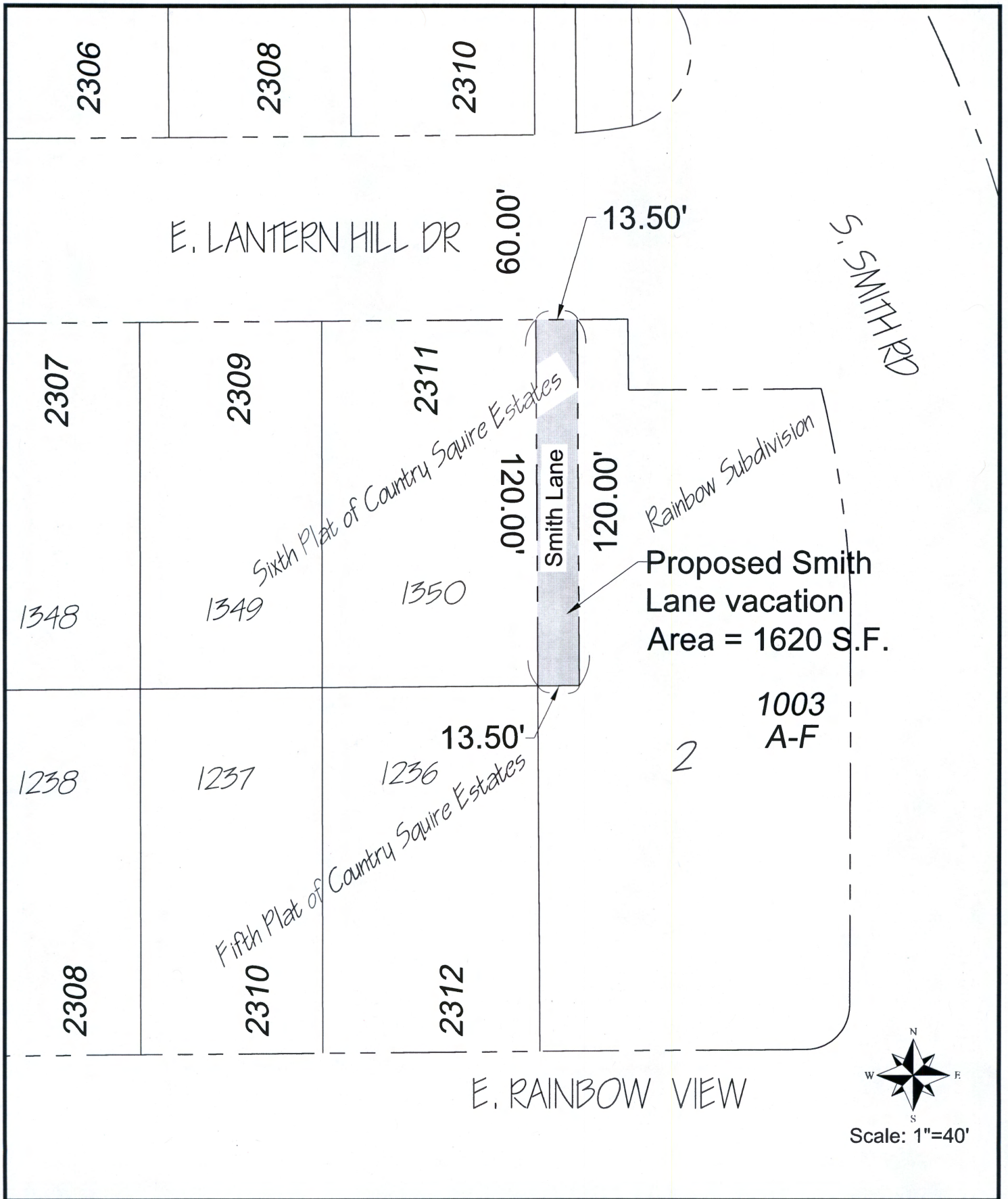
APPROVED BY THE MAYOR this 24th day of _____

Phyllis D. Clark

 Phyllis D. Clark, City Clerk

Laurel Lunt Prüssing

 Laurel Lunt Prüssing, Mayor



PLAT MAP SHOWING PUBLIC RIGHT-OF-WAY VACATED
 BY CITY OF URBANA, ILLINOIS ORDINANCE NO. 2014 -10-094
 DATE: October 20, 2014

City of Urbana
 Public Works Dept.
 Engineering Division

Drawn by: BWF
 Checked by: WRG

Date: 10/6/2014
 Date: 10/8/2014

