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Recording Cover Sheet

**2016R10325**

REC ON: 06/09/2016 9:50:31 AM

CHAMPAIGN COUNTY

**BARBARA A. FRASCA, RECORDER**

REC FEE: 49.00

PAGES 5

PLAT ACT: OPLAT PAGE:

AN ORDINANCE AUTHORIZING THE TRANSFER  
AND ASSIGNMENT OF WEST COUNTRY CLUB ROAD  
OVERFLOW PIPE [Ord. No. 2016-05-042]

\*TRANSFER AND ASSIGNMENT AGREEMENT

\*MAP

Prepared for recording by:

Wendy M. Hundley, Adm. Asst. \_\_\_\_\_

400 S. Vine Street, Urbana, IL 61801

(6)

Return to:

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

ORDINANCE NO. 2016-05-042

**AN ORDINANCE AUTHORIZING THE TRANSFER AND ASSIGNMENT OF WEST  
COUNTRY CLUB ROAD OVERFLOW PIPE**

**WHEREAS**, Urbana City Code Section 20-104, in pertinent part, provides that the acceptance or release of an interest in real property other than an easement shall be by actions of the City Council; and

**WHEREAS**, the City desires to purchase certain real property consisting of a storm sewer overflow pipe located in the right-of-way north of West Country Club Road, and further described herein, for the management of stormwater; and

**WHEREAS**, the City Council expressly finds and declares that said storm sewer overflow pipe is needed for governmental purposes of the City of Urbana.

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

**Section 1.**

The purchase of a storm sewer overflow pipe, located in the right-of-way north of West Country Club Road between County Road 1700 N and North Broadway Avenue in Urbana, Illinois, being more particularly described and depicted on the map attached hereto as Exhibit A, and substantially on such terms as contained in the Transfer and Assignment attached hereto as Exhibit B, both of which exhibits are incorporated herein, is hereby approved.

**Section 2.**

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 said Transfer and Assignment as so authorized and approved for and on behalf of the City of Urbana, Illinois.

**Section 3.**

The Mayor of the City of Urbana, Illinois, or her designee, be and hereby is authorized to perform all acts necessary on behalf of the City of Urbana to effectuate the acquisition of the storm sewer overflow pipe.

**Section 4.**

This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

**Section 5.**

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 a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.


**PASSED BY THE CITY COUNCIL** this 6<sup>th</sup> day of June, 2016.

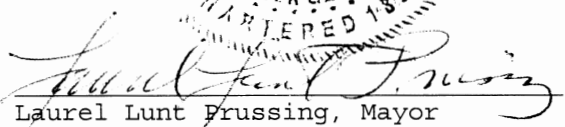
AYES: Ammons, Brown, Jakobsson, Madigan, Marlin, Roberts, Smyth

NAYS:

ABSENT:

ABSTAINED:

  
\_\_\_\_\_  
Phyllis D. Clark, City Clerk

  
\_\_\_\_\_  
Laurel Lunt Prussing, Mayor

**APPROVED BY THE MAYOR** this 8<sup>th</sup> day of June

## Transfer and Assignment

KNOW ALL MEN BY THESE PRESENTS, that the Urbana & Champaign Sanitary District, an Illinois Municipal Corporation, ("Transferor"), in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, in hand paid, the receipt of which is hereby acknowledged, does hereby convey, transfer, assign and deliver unto the City of Urbana, an Illinois Municipal Corporation, all of Transferor's right, title and interest in and to approximately 445 feet of Overflow Sewer Pipe (the "Pipe") located on the north Side of Country Club Road which said Pipe is located in the area depicted on the Attached Exhibit A which is made a part hereof.

Transferee accepts the Pipe and further accepts responsibility for all future maintenance, replacement or repair.

**OTHERWISE, THE TRANSFEROR MAKES NO EXPRESS OR IMPLIED WARRANTIES TO TRANSFEEE CONCERNING THE PIPE. TRANSFEEE IS ACCEPTING SUCH PIPE "AS IS", "WHERE IS", "WITH ALL DEFAULTS", AND THE UNDERSIGNED EXPRESSLY DISCLAIMS THE WARRANTIES OF MERCHANTABILITY AND FITNESS FOR PURPOSE.**

Dated: April 7, 2016

TRANSFEEE

City of Urbana, a Municipal Corporation.

By: Jared Prussing

Its: Mayor

TRANSFEROR:

Urbana & Champaign Sanitary District, a Municipal Corporation

By: Diana Benk

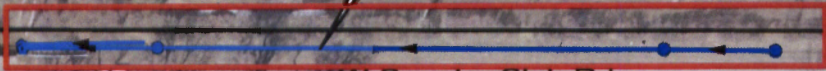
Its: Resident



W Country Club Rd

Urbana Country Club

445 Lineal Feet (+/-) of 12" storm sewer "Pipe" transferred from UCSD ownership to the City of Urbana ownership



W Country Club Rd

Anita Purves  
Nature Center

N Broadway Ave

**Exhibit A**