



City of Urbana  
400 South Vine Street  
Urbana, IL 61801

**2020R02227**  
REC ON: 02/11/2020 02:50:54 PM  
CHAMPAIGN COUNTY  
**MARK SHELDEN**  
REC FEE: 51.00  
RHSPS Fee:  
REV FEE:  
PAGES 7  
PLAT ACT: PLAT PAGE:

**CLERK'S CERTIFICATE**


STATE OF ILLINOIS            )  
  )    SS  
COUNTY OF CHAMPAIGN    )

I, CHARLES A. SMYTH, 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:

**AN ORDINANCE ACCEPTING THE DEDICATION OF RIGHT-OF-WAY (907 North Lincoln Avenue)[ORDINANCE NO. 2020-01-002]**

Adopted by the City Council of the City of Urbana, Illinois, on the 27<sup>th</sup> day of January, AD, 2020, 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 28<sup>th</sup> day of January, AD, 2020.

  
\_\_\_\_\_  
Charles A. Smyth, City Clerk



**ORDINANCE NO. 2020-01-002**

**AN ORDINANCE ACCEPTING THE DEDICATION OF RIGHT-OF-WAY**

**(907 N. Lincoln Avenue)**

**WHEREAS**, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, and the passage of this Ordinance constitutes an exercise of the City’s home rule powers and functions as granted in the Illinois Constitution, 1970; and

**WHEREAS**, Section 3 of the Plat Act (765 ILCS 205/3) provides that a statutory dedication of land occurs when (1) a property owner files or records a plat that marks or notes the portions of the land as donated or granted to the public; and (2) a public entity accepts the dedication; and

**WHEREAS**, Kelly D. Dillard (“Owner”) is the fee simple owner of certain real estate located at 907 North Lincoln Avenue in Urbana, Illinois; and

**WHEREAS**, as a condition to the City’s final approval of a major variance to allow installation of a freestanding commercial sign on the real estate, the Owner has agreed to dedicate a portion of such real estate for the benefit of the public for public street or highway purposes and public utility purposes, as set forth on the attached Plat of Dedication (“Plat”); and

**WHEREAS**, the Owner has executed the attached Dedication of Right-of-Way to formally grant such dedication; and

**WHEREAS**, the City Council, after due consideration, finds that the acceptance of the dedication of said portion of right-of-way for the benefit of the public for public street or highway purposes and public utility purposes as herein described is in the best interests of the residents of the City and is desirable for the welfare of the City’s government and affairs.

**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 hereby accepts the dedication of a portion of right-of-way located at 907 North Lincoln Avenue in Urbana, Illinois, and legally described below, subject to the

condition that such right-of-way be used for public street or highway purposes and for public utility purposes:

A part of the Northeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, being more particularly described as follows:

The East 7.00 feet of even width of the following described tract:

Beginning at a point on the West line of Lincoln Avenue which is 33 feet West and 835 feet South of the Northeast corner of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian in the City of Urbana, County of Champaign and State of Illinois, thence Westerly 302.6 feet to the Northeast corner of Lot 1 of O.S. Carman's Third Subdivision, thence South along the East line of Lots 1 through 7 of said Subdivision, a distance of 368.05 feet to the Northwest corner of Lot 8 of said Subdivision, thence East 302.6 feet to the West line of Lincoln Avenue, thence North 369.05 feet to the point of beginning, all situated in the City of Urbana, County of Champaign, and State of Illinois.

EXCEPT:

The South 191.00 feet thereof.

Said dedication containing 1,246.28 square feet (0.029 acres), more or less, all situated in the City of Urbana, Champaign County, Illinois, and being as shown by a Plat hereto attached and made a part hereof. Being a portion of Permanent Index No. 91-21-07-282-021.

## **Section 2.**

The City Administrator of the City of Urbana, Illinois, be and the same is hereby authorized to accept a Dedication of Right-of-Way on behalf of the City of Urbana, Illinois, in substantially the form of the copy of said Dedication attached hereto and hereby incorporated by reference, as so authorized and approved for and on behalf of the City of Urbana, Illinois.

## **Section 3.**

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 4.**

This Ordinance shall be in full force and effect from and after its passage.

Upon the Mayor's acceptance of the Dedication of Right-of-Way on behalf of the City of Urbana, Illinois, the City Clerk is directed to record a certified copy of this Ordinance with the Champaign County Office of Recorder of Deeds and to deliver a certified copy to Kelly D. Dillard.

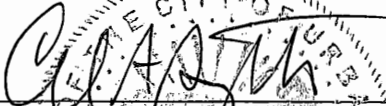
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

**PASSED BY THE CITY COUNCIL** this 27<sup>th</sup> Day of January , 2020.

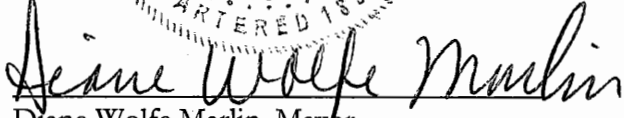
AYES: Brown, Hazen, Hursey, Jakobsson, Miller, Roberts, Wu

NAYS:

ABSTENTIONS:

  
\_\_\_\_\_  
Charles A. Smyth, City Clerk.

**APPROVED BY THE MAYOR** this 28<sup>th</sup> Day of January, 2020.

  
\_\_\_\_\_  
Diane Wolfe Marlin, Mayor.

## **DEDICATION OF RIGHT-OF-WAY**

**THE GRANTOR, Kelly D. Dillard**, of the City of Champaign, County of Champaign, State of Illinois, for and in consideration of **TEN DOLLARS (\$10.00)** and other good and valuable consideration in hand paid, grants, conveys, warrants, and dedicates to the **CITY OF URBANA, ILLINOIS**, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Illinois, with its principal office located at 400 S. Vine Street, Urbana, Illinois 61801, the following described real estate for the benefit of the public forever for use as a right-of-way for public street or highway purposes and for public utility purposes:

A part of the Northeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, being more particularly described as follows:

The East 7.00 feet of even width of the following described tract:

Beginning at a point on the West line of Lincoln Avenue which is 33 feet West and 835 feet South of the Northeast corner of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian in the City of Urbana, County of Champaign and State of Illinois, thence Westerly 302.6 feet to the Northeast corner of Lot 1 of O.S. Carman's Third Subdivision, thence South along the East line of Lots 1 through 7 of said Subdivision, a distance of 368.05 feet to the Northwest corner of Lot 8 of said Subdivision, thence East 302.6 feet to the West line of Lincoln Avenue, thence North 369.05 feet to the point of beginning, all situated in the City of Urbana, County of Champaign, and State of Illinois.

**EXCEPT:**

The South 191.00 feet thereof.

Said dedication containing 1,246.28 square feet (0.029 acres), more or less, all situated in the City of Urbana, Champaign County, Illinois, and being as shown by a plat hereto attached and made a part hereof. Being a portion of Permanent Index No. 91-21-07-282-021.

**ADDRESS: 907 N. Lincoln Avenue, Urbana, Illinois 61801**

Dated 2-6, 2020.

Kelly D. Dillard  
Kelly D. Dillard

Florida )  
STATE OF ILLINOIS )  
Circuit ) ss.  
COUNTY OF CHAMPAIGN )



The foregoing instrument was acknowledged before me on Feb 6<sup>th</sup> 2020, by Kelly D. Dillard.

Jordan Shae Trahan  
Notary Public

ACCEPTED:

By: Carol Mitten  
Carol Mitten, City Administrator

Dated: 2.11.20

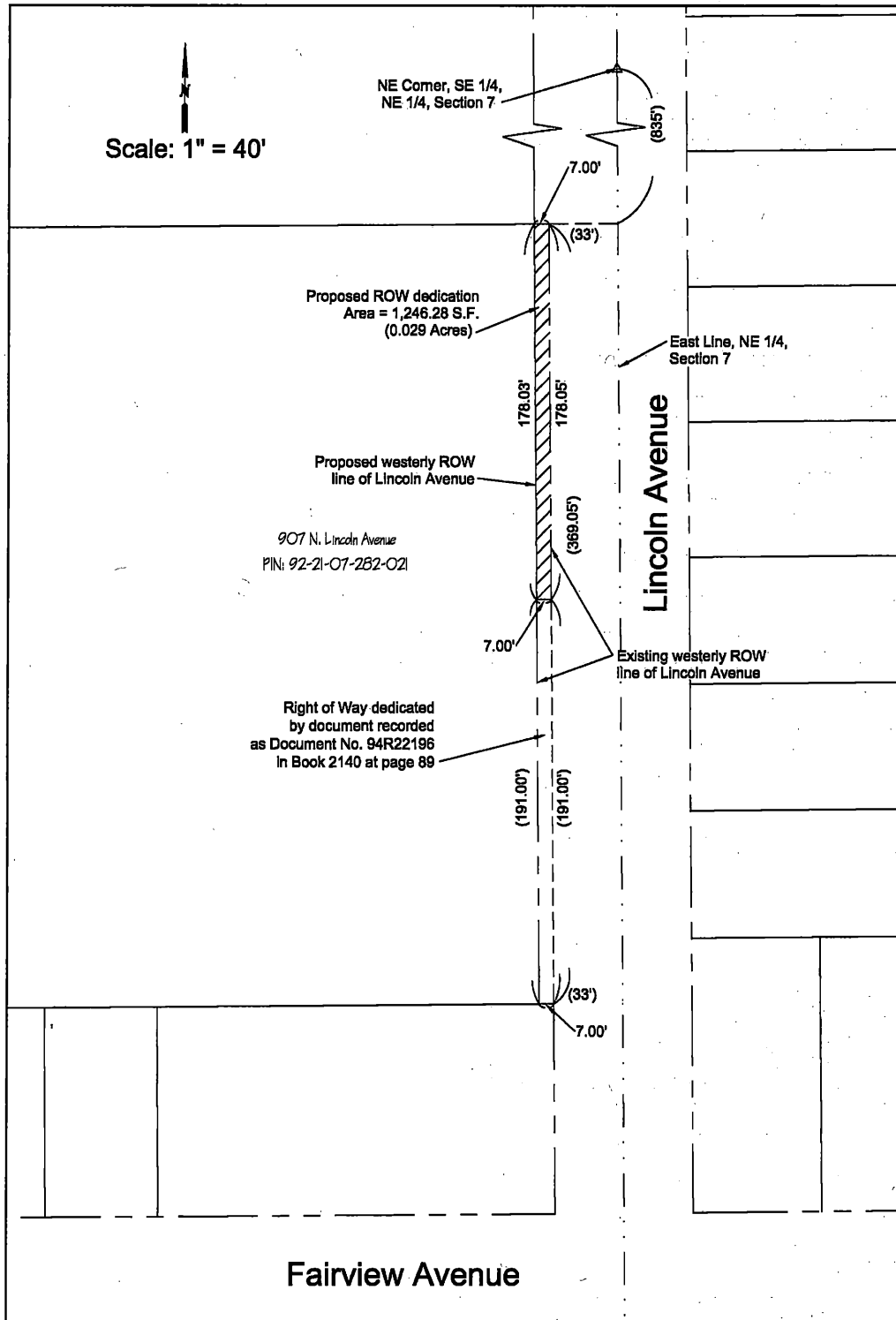
Ordinance No. 2020-01-002

**THIS INSTRUMENT WAS PREPARED BY:** Curt Borman, Assistant City Attorney, City of Urbana Legal Division, 400 S. Vine Street, Urbana, IL 61801

**MAIL RECORDED DOCUMENT AND TAX BILL TO:** City of Urbana Legal Division, 400 S. Vine Street, Urbana, IL 61801

This transaction is exempt under the provisions of 35 ILCS 200/31-45(e).

Date: 2.11.20 Buyer, Seller, or Representative Carol Mitten  
Carol Mitten, City Administrator



Proposed ROW Acquisition  
907 N. Lincoln Avenue

City of Urbana  
Public Works Department  
Engineering Division  
Date: 1/03/2020

