

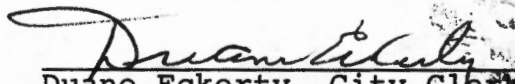
RESOLUTION NO. 7576-R52

A RESOLUTION AUTHORIZING THE MAYOR
TO EXERCISE AN OPTION ON BEHALF OF
THE CITY FOR THE PURCHASE OF TWO
PARCELS OF LAND FROM THE NORFOLK
AND WESTERN RAILWAY COMPANY

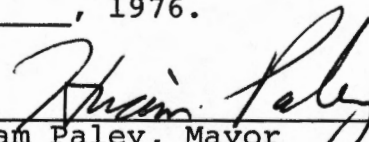
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
URBANA, ILLINOIS:

That the Mayor of the City of Urbana, Illinois,
is hereby and herewith authorized to exercise
on behalf of the City of Urbana the option to
purchase two (2) parcels of land, a copy of
said option being attached hereto and herein
incorporated by reference, from the Norfolk
and Western Railway Company.

PASSED by the City Council of the City of Urbana,
Illinois, this 17th day of May, 1976.


Duane Eckerty, City Clerk

APPROVED by the Mayor of the City of Urbana, Illinois,
this 18th day of May, 1976.


Hiram Paley, Mayor

NW

May 4, 1976
CLB-230101-C

The Honorable Hiram Paley
Mayor of the City of Urbana
400 South Vine Street
Urbana, Illinois 61801

Dear Mayor Paley:

We are pleased that the City of Urbana is contemplating expansion of the City's Civic Center Complex on property owned or controlled by the Norfolk and Western Railway Company situated in Urbana, Illinois, and we wish to cooperate with you in every way.

To that end, Norfolk and Western Railway Company, hereinafter referred to as NW, in consideration of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, hereby grants unto the City of Urbana, a municipality of the State of Illinois, hereinafter-referred to as City, an option to purchase two parcels of land; Parcel A, approximately 71,000 square feet of land as shown outlined in red and Parcel B, approximately 54,995 square feet of land shown outlined in yellow on attached print, under the following terms and conditions:

- 1) Purchase price for each parcel shall be One and 00/100 Dollars (\$1.00) per square foot, net to NW, payable upon delivery of deeds, and earnest money deposit in the amount of \$7,100.00 shall be applied toward payment of the purchase price for Parcel A.
- 2) The exact total purchase price of each parcel and the legal descriptions of each parcel shall be determined by an Illinois licensed or registered surveyor obtained by City at its sole cost and expense.
- 3) Conveyance shall be made by Quit Claim Deeds without warranty. Said conveyances shall each contain a covenant on the part of the City that, as a part of the consideration

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The Honorable Hiram Paley
Mayor of the City of Urbana
May 4, 1976
Page 2

for the conveyance of said approximate 71,000 square feet and 54,995 square feet of land, City will protect and save harmless NW from and against assessments for the development of each parcel being sold and the installation and maintenance of roadway improvements or other facilities to serve said parcels.

- 4) The right to exercise this option shall expire 60 days from the date hereof.
- 5) City will have thirty (30) days after exercise of this option in which to satisfy itself as to title at its own cost and expense, and if title proves to be merchantable, the conveyance of Parcel A shall be closed within thirty (30) days after said first thirty (30) day period. Otherwise, City may purchase Parcel A subject to the defects or declare the transaction null and void, in which event earnest money in the amount of \$7,100.00 shall be returned to City by NW and neither party shall be liable to the other for damages.
- 6) NW hereby grants City or its designee or assignee the right to enter upon Parcel A during the period of this option for the purpose of making surveys, test borings and engineering studies, and upon Parcel B for the purpose of making surveys only, on the condition that City shall save NW harmless from any and all liabilities, claims, losses, expenses and damages in any way arising out of or in consequence of the exercise of this right.
- 7) In the event the conveyances contemplated hereunder should constitute a subdivision, City agrees to arrange for compliance with all subdivision laws, ordinances, and regulations necessary to effect the transfer of Parcels A and B in accordance therewith, all at its sole cost and expense, and agrees to indemnify and save harmless NW and Wabash Railroad Company from and against any failure to so comply with such subdivision laws, ordinances, and regulations.
- 8) If by reason of the development of Parcels A and B, including, without limitation, the construction of buildings, structures, or facilities thereon, the State, County, City, or other properly constituted authority shall require the

The Honorable Hiram Paley
Mayor of the City of Urbana
May 4, 1976
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location and construction of one or more streets to serve Parcels A and B, or the construction, relocation or removal of any utility or sewer lines, City shall, at its own cost and expense, construct said street or streets and also construct, relocate or remove said utility or sewer lines. City shall protect NW and Wabash Railroad Company from and against any and all assessments and costs in respect thereto, and City shall indemnify and save harmless NW and Wabash Railroad Company from any and all claims, suits, costs and expenses arising from or growing out of any default by City in the observance of the requirements of this paragraph.

- 9) Property taxes shall be prorated between NW and City as of the dates of closing the transaction contemplated hereunder.
- 10) The exercise of this option and purchase of Parcel A shall also obligate City to purchase Parcel B consisting of approximately 54,995 square feet of land at purchase price of One and 00/100 Dollars (\$1.00) per square foot, net to NW, when NW abandons its track on Parcel B, pursuant to appropriate authorization of the Interstate Commerce Commission.

Parcel B will be conveyed sixty (60) days after NW notifies City in writing it has abandoned operations over trackage on said parcel.

If you wish to exercise this option under the terms and conditions set out above and within the period aforesaid, please so indicate in space provided on extra copy of this letter attached and

The Honorable Hiram Paley
Mayor of the City of Urbana
May 4, 1976
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return it to the office with earnest money deposit in the amount
of \$7,100.00

Yours truly,

NORFOLK AND WESTERN RAILWAY COMPANY

By

R. B. Michels

R. B. Michels
Regional Manager,
Industrial Real Estate

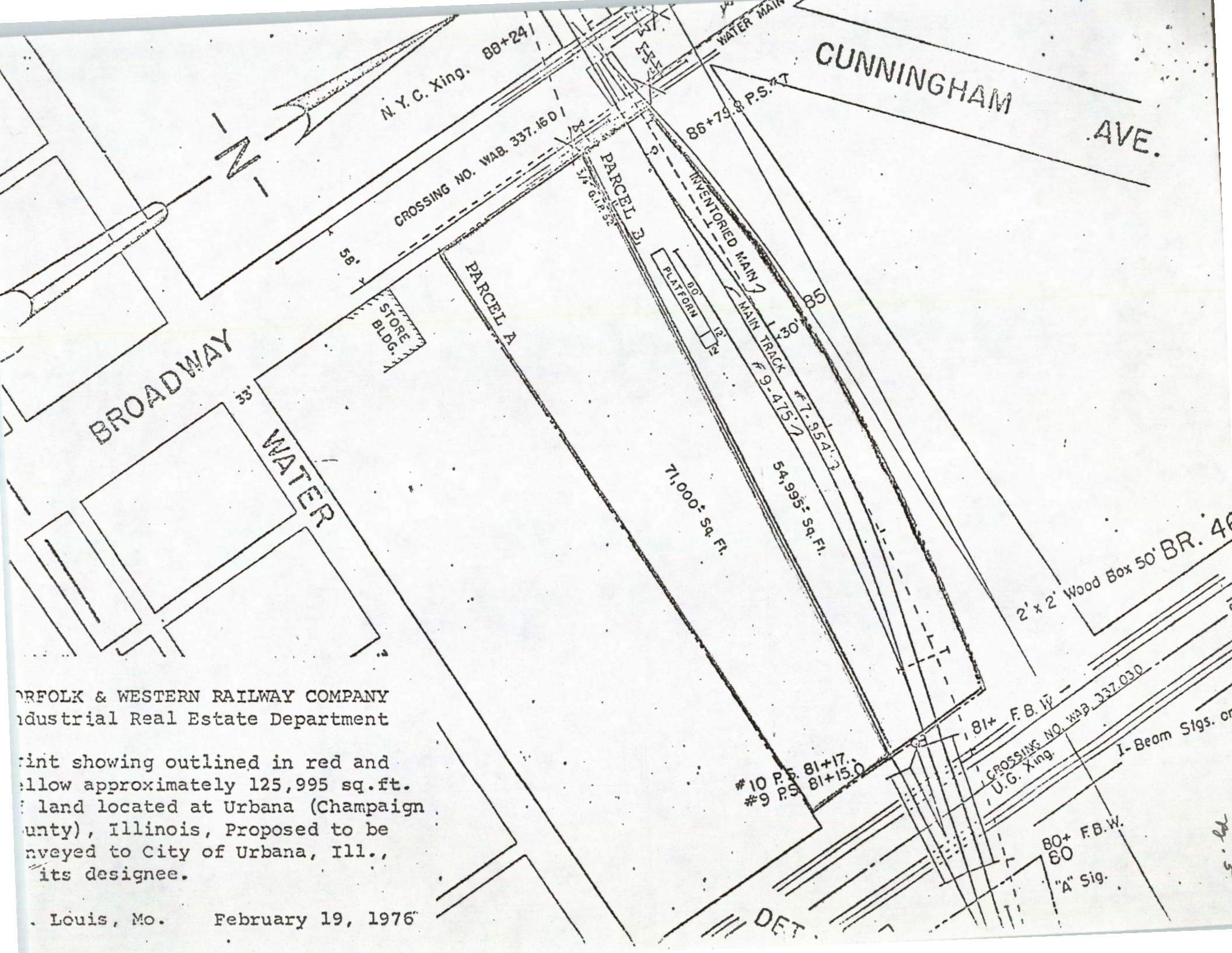
CLB:ch

This option exercised this 17 day of June, 1976,
and earnest money deposit in the amount of \$7,100.00 is enclosed
herewith.

CITY OF URBANA a municipality of
the State of Illinois

By

Hiram Paley



ORFOLK & WESTERN RAILWAY COMPANY
Industrial Real Estate Department

Print showing outlined in red and
yellow approximately 125,995 sq.ft.
land located at Urbana (Champaign
County), Illinois, Proposed to be
conveyed to City of Urbana, Ill.,
its designee.

St. Louis, Mo. February 19, 1976

att 7576-A52
Pg. 6

City of Urbana

Office of Mayor
400 S. Vine St.
City of Urbana
Illinois 61801
217 328-3361

Hiram Paley, Mayor

June 23, 1976

Mr. R. B. Michels, Regional Manager
Industrial Real Estate Department
Norfolk and Western Railway Company
Railway Exchange Building
St. Louis, Missouri 63101

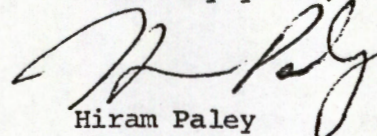
CITY OF URBANA, ILL.
RECEIVED
JUN 23 1976

Dear Mr. Michels:

I am pleased to convey to you an executed copy of the option you submitted to the City of Urbana on May 4, 1976. Enclosed with this executed option is a check for an earnest money deposit of \$7,100.

We are currently having surveyors survey the land in question and should be contacting you within a short period of time as to the results of that survey.

Sincerely yours,



Hiram Paley
Mayor

HP/blt

Enclosure

cc: Mr. Curtis Bishop, District Manager
Mr. Duane Eckerty, City Clerk ✓

att. 7576-K-1
89.7

City of Urbana

Office of Mayor
400 S. Vine St.
City of Urbana
Illinois 61801
217 328-3361

Hiram Paley, Mayor

June 25, 1976

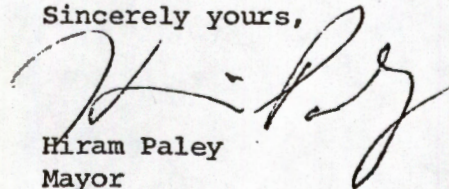
Mr. R. B. Michels, Regional Manager
Industrial Real Estate Department
Norfolk and Western Railway Company
Railway Exchange Building
St. Louis, Missouri 63101

Dear Mr. Michels:

Attached is a copy of the survey done by Charles S. Danner. Please note that the square footage in each parcel is somewhat smaller than the original estimate supplied by your office. Mr. Danner's survey shows that Parcel A has 67,668 square feet and Parcel B has 53,648 square feet.

We will be contacting you again in the near future concerning the purchase.

Sincerely yours,



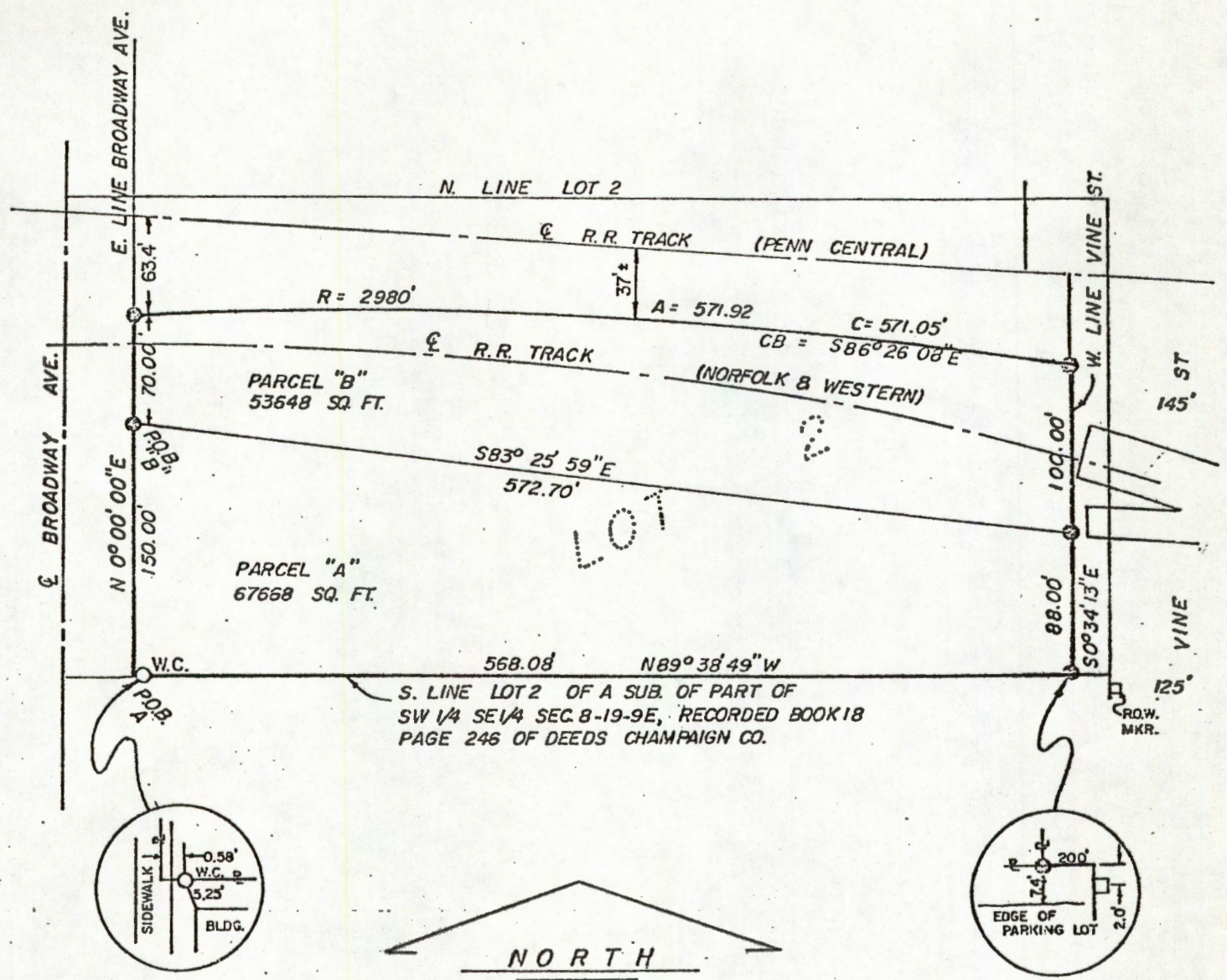
Hiram Paley
Mayor

HP/blt

Enclosure

cc: Mr. Curtis Bishop, District Manager
Mr. Duane Eckerty, City Clerk ✓

Plat of Survey of Part of Southeast Quarter Section 8,
Township 19 North, Range 9 East of the Third Principal
Meridian, Urbana, Champaign County, Illinois



NORTH

LEGEND

- O Iron Pipe Found
- ⊙ Iron Pipe Set (ILS 1470)
- OW.C. Iron Pipe Witness Corner
- A Arc Distance
- C Chord Distance
- CB Chord Bearing
- P.O.B. Place of Beginning

Signed and sealed this 23rd day of June A.D., 1976

Charles S. Danner
Charles S. Danner
Registered Illinois Land Surveyor
Urbana, Illinois



Page 1 of 2

Part of SW $\frac{1}{4}$ SE $\frac{1}{4}$ SEC 8 T19N R9E 3 P.M.	DATE 062376
Champaign County, Illinois City of Urbana	SCALE 100'/"
DANNER & ASSOCIATES, INC. CONSULTING ENGINEERS LAND SURVEYORS URBANA-CLINTON, ILL.	JOB NO. 3310

STATE OF ILLINOIS

COUNTY OF CHAMPAIGN

S. S. SURVEYOR'S CERTIFICATE

I, Charles S. Danner, a Registered Illinois Land Surveyor, number 1470, do hereby certify, that at the request of the City of Urbana, I have made a survey of a tract of land lying in the Southeast Quarter of Section 8, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois described as follows:

PARCEL "A"

Beginning at a point where the East right-of-way line of Broadway Avenue intersects the South line of Lot 2 of a subdivision of Part of the Southwest Quarter of the Southeast Quarter of Section 8, Township 19 North, Range 9 East of the Third Principal Meridian as recorded in Book 18 Page 246 of Deed Records in the Office of the Champaign County Recorder; thence N 00° 00' 00" E along the East line of Broadway Avenue, 150.00 feet; thence S 83° 25' 59" E, 572.70 feet to the West line of Vine Street; thence S 00° 34' 13" E along the West line of Vine Street, 88.00 feet to the South line of said Lot 2; thence N 89° 38' 49" W along the South line of said Lot 2, 568.08 feet to the place of beginning, said tract containing 67668 square feet (1.55 acres), more or less, and situated in Champaign County, Illinois

PARCEL "B"

Commencing at a point where the East right-of-way line of Broadway Avenue intersects the South line of Lot 2 of a subdivision of Part of the Southwest Quarter of the Southeast Quarter of Section 8, Township 19 North, Range 9 East of the Third Principal Meridian as recorded in Book 18 Page 246 of Deed Records in the Office of the Champaign County Recorder; thence N 00° 00' 00" E along the East line of Broadway Avenue, 150.00 feet for a true place of beginning; thence N 00° 00' 00" E along the East line of Broadway Avenue, 70.00 feet; thence Easterly around a curve to the right, having a radius of 2980 feet, an arc distance of 571.92 feet, said curve having a chord distance of 571.05 feet and a chord bearing of S 86° 26' 08" E to the West line of Vine Street; thence S 00° 34' 13" E along the West line of Vine Street, 100.00 feet; thence N 83° 25' 59" W, 572.70 feet to the place of beginning, said tract containing 53648 square feet (1.23 acres), more or less, situated in Champaign County, Illinois

I further certify, that I have found and/or set the iron pipe survey monuments as shown on the accompanying plat of survey.

Signed and sealed this 23rd day of June A.D., 1976

Charles S. Danner
Charles S. Danner
Registered Illinois Land Surveyor
Urbana, Illinois

Page 2 of 2

Part of SW $\frac{1}{4}$ SE $\frac{1}{4}$ SEC 8 T19N R9E 3 P.M.	DATE 062376
Champaign County, Illinois City of Urbana	SCALE
DANNER & ASSOCIATES, INC. CONSULTING ENGINEERS LAND SURVEYORS URBANA-CLINTON, ILL.	JOB NO. 3310