

FILED

JUN 26 1991

RESOLUTION NO. 9091-R42

A RESOLUTION OF PROTEST

*Dennis R. Bing*  
COUNTY CLERK

WHEREAS, the Mr. R. Neil Richardson has petitioned the County of Champaign to allow a special use permit to excavate top soil on the following described real estate:

All that part of the below described tract of land lying east of the west line of Lot 12 of assessor's subdivision of the north 1/2 of Section 3, Township 19N, Range 9 East of the 3rd P.M. to wit:

Tract 1 of survey and plat recoreded in Plat Book "P", page 29 as Document 721546, otherwise described as: a tract of ground located in the north 1/2 of Section 3, Township 19 North, Range 9 East of the Third Principal Meridian, more particularly described as follows

Commencing at an iron pipe monument at the intersection of the centerline of Brownfield Road and the west line of Lot 12 of assessor's subdiviison of the north 1/2 of said Section 3, proceed southerly along the centerline of Brownfield Road, k having an assumed bearing of south 39 degrees west 400 feet to an iron pipe omonument; thence south 365 degrees east 428.82 feet to an iron pipe monument on the wet line of Lot 12 of said assessor's subdivision ; tahence south 0 degrees, 01 minutes, 42 seconds east along the west line of Lot 12, 798 feet more or less, tot he east line of Lot 12; thence north 0 degrees, 01 minutes, 42 seconds west along the east line of Lot 12, 953 feet more or less, to an iron pipe monument on the south line of the north 5 and seven-eights acres of Lot 12, thence south 89 degrees, 46 minutes, 50 seconds west along the south line of said north 5 and seven-eights acres 497.05 feet to an iron pipe monument on the west line of Lot 12, thence north 0 degrees, 1 minutes, 42 secondds west along the west line of Lot 12, 383.94 feet to the point of commencing;

Exepting a certain tract in the northy 1/2 of section 3, Township 19 North, Range 9 East of th eThird Principal Meridian, being a strip 4 feet of even width lying immediately northeasterly of and adjacent to the following described line:

Beginning at a point on the centerline of Brownfield Road 400.00 feet southwesterly from the intersection of the centerline of Brownfield Road with the east boundary of Lot 13 of Assessor's subdivision of the north 1/2 of said section 3, said oint of benginning being also the westernmost corner4 of said tract 1, proceed thence in a straigh line along the southwestern boundary of said tract 1, 428.82 feet to the east boundary of Lot 13 of

said assessor's subdivision; the northwesterly boundary of said strip is the centerline of Brownfield Road and the southeasterly boundary is the east boundary of said lot 13.;

And excepting another certain tract in the north 1/2 of Section 3, Township 19 North, Range 9 East of the Third Principal Meridian, described as follows:

Commencing at an iron pipe monument at the intersection of the centerline of Brownfield Road and the west line of Lot 12 of assessor's subdivision of the north 1/2 of said Section 3, proceed southwesterly along the centerline of Brownfield Road, on an assumed bearing of south 39 degrees, 00 minutes, 00 seconds west, 233.66 feet; thence south 48 degrees, 03 minutes, 10 seconds east, 197.91 feet more or less, to a point on the easterly boundary of said Tract 1 which is 313.94 feet to the point of beginning, all situated in Champaign County, Illinois.

Together with an easement of access 20 feet wide centered upon the existing driveway between the above described tract and Brownfield Road, commonly known as 2612 Brownfield Road, Urbana; and,

WHEREAS, the said petition is being considered by various governmental authorities concerned under the style and name of "Champaign County ZBA Case #756-S-91, Request to permit as a special use in the CR, Conservation-Recreation Zoning district the removal of topsoil and related activities"; and

WHEREAS, although the Urbana Plan Commission has considered matters pertaining to said petition at the June 6, 1991 Plan Commission meeting and has forwarded the said petition to the Urbana City Council with its recommendation that the Urbana City Council not protest the proposed special use permit described in said Case #756-S-91; and

WHEREAS, the Urbana City Council, having duly considered all matters pertaining thereto, finds and determines that the proposed special use permit may negatively impact the City of Urbana and would NOT be in the best interests of the City of Urbana and its citizens if approved.

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

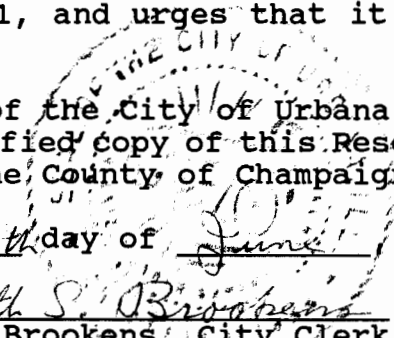
Section 1. The City Council finds and determines that the facts contained in the above recitations are true.

Section 2. That the Urbana City Council, on behalf of the said City, hereby resolves that the City of Urbana should and hereby does protest the proposed special use permit as set forth

in Champaign County ZBA Case #756-S-91, and urges that it not be approved.

Section 3. The City Clerk of the City of Urbana is authorized and directed to file a certified copy of this Resolution of Protest with the County Clerk of the County of Champaign.

PASSED by the City Council this 17<sup>th</sup> day of June, 1991.

  
Ruth S. Brookens  
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 26<sup>th</sup> day of June, 1991.

Jeffrey T. Markland  
Jeffrey T. Markland, Mayor

752.RES