

ORDINANCE NO. 2007-09-094

AN ORDINANCE VACATING A PUBLIC ALLEY
(In University, Park, Lincoln, Busey block)

WHEREAS, Carle Foundation owns all of the real property which abuts on both sides the public Alley herein vacated; and

WHEREAS, Carle Foundation has requested such portion of public Alley to be vacated; and

WHEREAS, the vacation of such public Alley will not impair access to any property other than that property owned by the Carle Foundation; and

NOW, THEREFORE, BE IT ORDAINED:

Section 1. That the following described public Alley is hereby vacated, such having been determined to be no longer required by the City of Urbana for alley right-of-way purposes and thus, the public interest shall be subserved by vacating the same:

An east-west Public Alley in the block bounded by University Avenue on the south, Park Street (formerly First Street) on the north, Lincoln Avenue on the west and Busey Avenue (formerly Busey Street) on the east, being in the Southwest Quarter of Section 8, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

All of the east-west Public Alley in Block 2 of Simeon H. Busey's Addition to the City of Urbana, as recorded in Deed Record Book 26, at page 2 in the Office of the Recorder of Deeds, Champaign County, Illinois. Said Public Alley Right-of-Way being twelve feet in (12') in width.

Said tract containing 0.13 acres (5,856 square feet), more or less, all situated in the City of Urbana, Champaign County, Illinois.

Section 2. The vesting of title in the portion of the right-of-way so vacated in the abutting property owner or owners shall be subject to an easement to all public utilities, their successors and assigns to operate, maintain, renew and reconstruct their facilities affected by this vacation as now operated and maintained in, over and under the portion of the right-of-

way vacated unless the said abutting property owner or owners shall compensate the said utilities for such reasonable expense as shall be incurred by said utilities in connection with the rearrangement, removal or relocation of said facilities.

Section 3. The right-of-way herein vacated shall attach to and become a part of the parcel number identified by PIN #91-21-08-304-003, 91-21-08-304-006, 91-21-08-304-007, 91-21-08-304-011, 91-21-08-304-012, 91-21-08-304-013, 91-21-08-304-014, 91-21-08-304-015, 91-21-08-304-016, 91-21-08-304-018 & 91-21-08-304-019.

Section 4. In accordance with Resolution 9899-R2 regarding the City's policy on vacating alleys. The City Council of the City of Urbana, Illinois, finds and determines that \$24,000 is the amount of money which is equal to the benefits which will accrue to the owners of the abutting properties by reason of this Vacation Ordinance; and this Ordinance shall not be effective until payment of such sum has been made to the Comptroller of the City of Urbana, Illinois.

Section 5. The City Clerk is directed to record a certified copy of this ordinance when the Comptroller advises the Clerk that the sum set forth in Section 4 has been received by the City. The recording of this Ordinance in the Office of the Recorder shall be proof that such payment has been made.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a three-fourth's (3/4th's) vote of the alderpersons of the City of Urbana, Illinois, at a regular meeting of said Council.

PASSED by the City Council this _____ day of _____,
_____.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____,
_____.

Laura Lunt Prussing, Mayor

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**PLAT MAP SHOWING PUBLIC RIGHT-OF-WAY VACATED
BY CITY OF URBANA ORDINANCE NO. 2007-XX-XXX
DATE: September XX, 2007**

**City of Urbana
Public Works Department
Engineering Division**
Drawn by: BWF
Checked by: WFG 8/29/2007
Date: 8/27/2007