



**CITY OF URBANA, ILLINOIS
DEPARTMENT OF PUBLIC WORKS**

MEMORANDUM

To: Mayor Laurel Lunt Prussing and Members of the City Council
From: William R. Gray, P.E.
Date: October 23, 2008
Re: Partial Alley Vacation
Bound by California Avenue, Urbana Avenue, Illinois Street and Maple Street

Introduction

Mr. Luther Marlow, who resides at 406 East California Avenue and owns the property at 404 East California Avenue, (see attached aerial photograph) has requested that the City of Urbana vacate the south half of the subject alley.

The north-south alley has been closed to through traffic since July, 1992 at which time the city installed a guard rail across the alley mid-block in an effort to eliminate speeding traffic that used the alley as a bypass and endangered the children living adjacent to the alley.

Mr. Marlow is in the process of acquiring the property at 506 S. Urbana Avenue and with his other two parcels wishes for the alley to be vacated and for the twelve foot alley width to be divided in half and become part of these properties.

There are no property owners on this block objecting to the vacation of the south half of this alley. The north half will remain a public alley providing access to those homes and garages. City staff does not object to this request and views this action as reducing city liabilities and maintenance responsibilities. Utility easements will remain over this alley.

Fiscal Impact

There will be no fiscal impact to the City other than the staff time to prepare the vacation documents and ordinance.

Recommendation

It is recommended that the Ordinance Vacating a Portion of a Public Alley (Block between California Avenue, Urbana Avenue, Illinois Street, Maple Street) be approved.

ORDINANCE NO. 2008-10-127

AN ORDINANCE VACATING A PORTION OF A PUBLIC ALLEY
(Block between California Avenue, Urbana Avenue, Illinois Street & Maple
Street)

WHEREAS, Luther Marlow, owner of 404 and 406 East California Avenue has submitted a request to the City of Urbana asking that a portion of a certain alley be vacated; and

WHEREAS, the owner of the only other property abutting on the portion of the alley herein vacated has not objected to such vacation; and

WHEREAS, the vacation of the alley described herein will not materially impair access to any property owner; and

WHEREAS, the City Council has determined that the nature and extent of the public use or public interest to be subserved is such as to warrant the vacation of the alley sought herein to be vacated; 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:

A part of the north-south public alley in Block 4 of George G. Webber's Fourth (4th) Addition to the City of Urbana, as shown on a plat recorded in Deed Record Book 32 at page 519 in the Office of the Recorder of Deeds, Champaign County, Illinois, being more particularly described as follows;

All of the north-south public alley, being twelve feet (12') in width, adjacent to Lots 5, 6 and 7 in Block 4 of said George G. Webber's Fourth (4th) Addition to the City of Urbana.

Said vacated alley containing 1,440 S.F. (0.033 acre), 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 numbers identified by PIN #92-21-17-277-003, 92-21-17-277-005 & 92-21-17-277-008.

Section 4. In accordance with Resolution 9899-R2 regarding the City's policy on vacating alleys, the alley vacated herein being a residential alley, no monetary compensation is required.

Section 5. The City Clerk is directed to record a certified copy of this ordinance.

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 _____,
_____.

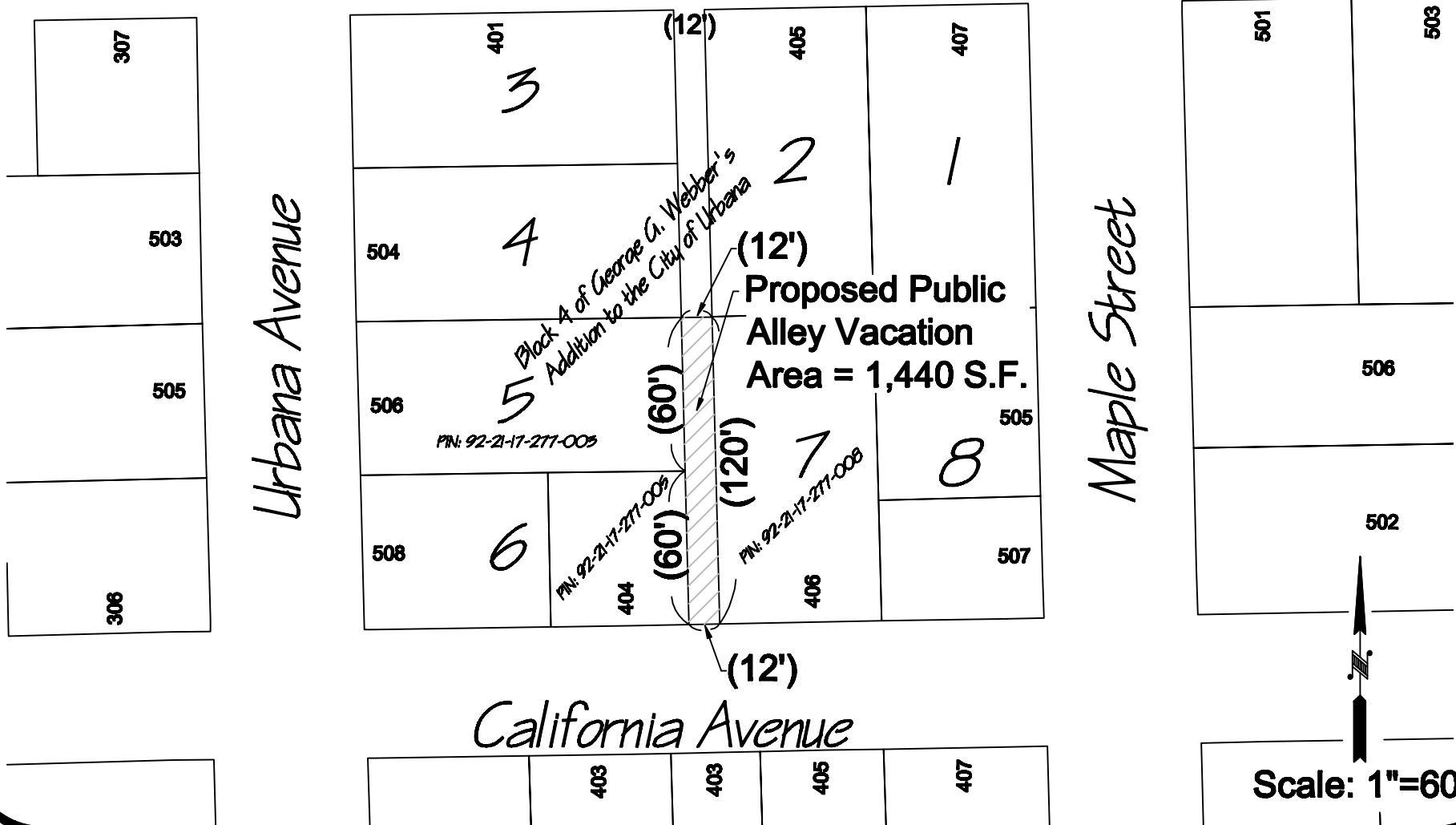
Laura Lunt Prussing, Mayor



Proposed Alley Vacation



Illinois Street



PLAT MAP SHOWING PUBLIC RIGHT-OF-WAY VACATED
 BY CITY OF URBANA ORDINANCE NO. 2008-XX-XXX
 DATE: October XX, 2008

City of Urbana
 Public Works Department
 Engineering Division

Drawn by: BWF
 Checked by: WRG 10/XX/2008

Date: 9/27/2008

