



CITY OF URBANA, ILLINOIS
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

MEMORANDUM

TO: Bruce K. Walden, Chief Administrative Officer
FROM: William R. Gray, Public Works Director
Gale L. Jamison, Assistant City Engineer
DATE: September 17, 2004
RE: Vacation of Wright Street Right-of-Way Through Dunbar Court.

Background

The Housing Authority of Champaign County (HACC) operates their Dunbar Court Facility on Wright Street north of an eight foot wide vacated east-west alley north of Eads Street. See attached map. As part of the acquisition of the Dunbar Court parcel for use by HACC, the sixty-six foot wide right-of-way for Wright Street was extended northerly 327 feet through the parcel. The north terminus of the right-of-way is at the corporate limits of the City of Champaign and Champaign Park District's Douglas Park. The right-of-way bisects the parcel with approximately 23-feet of the parcel lying west of the right-of-way and east of the corporate limits of the City of Urbana. The Wright Street pavement extends approximately 250-feet north of the south end of the right-of-way within the Dunbar Court parcel. As the result of a 1986 leasing agreement, HACC currently maintains a 13-space, 90-degree parking area on the west side of Wright Street. The existence of an executed lease was not readily determined. HACC proposed and has constructed a 14-space parking extension on the north end of the existing Wright Street Pavement.

Discussion

Wright Street does not continue north of Dunbar Court and HACC and their guests are the only users of the street for access to their parking. The continued use of the Wright Street right-of-way by HACC for the existing and proposed parking could occur either through an extension of the lease agreement, if it exists, through a licensing agreement for the use of the right-of-way or by vacation of the right-of-way to the Housing Authority. Since there is one user of this right-of-way, the City would prefer to vacate the street and shed maintenance and liability responsibilities.

The primary access to the Champaign Park District's Douglas Park, located at the north terminus of the right-of-way, is from the City of Champaign's Eureka Street, which extends east from 5th Street to terminate in a cul-de-sac a few hundred feet north of Dunbar Court. The City of Champaign and the Champaign Park District, as well as all utilities, were notified of the proposed vacation and none took exception. HACC owns the property on both side of Wright Street and would be the only property owner affected by a vacation of the right-of-way.

A public hearing regarding the proposed vacation was held on July 19, 2004. The required 10-day comment period ended on July 29, 2004. No comments were received.

A utility easement would remain if the street were vacated for the maintenance of sewers and public utilities that exist within the right-of-way.

Fiscal Impact

When Dunbar Court was developed, HACC gave the existing right-of-way to the City at no cost. No new lot will be or can be subdivided by this vacation that could result in a monetary gain to HACC. City policy is to vacate alleys (or streets) adjacent to residential properties at no cost when maintenance and liability issues are shed. It is proposed that the right-of-way be vacated at no cost to HACC.

Recommendation

The City Council is asked to approve the attached ordinance, which vacates the subject street right-of-way.

ORDINANCE NO. 2004-08-111

AN ORDINANCE VACATING A PORTION OF WRIGHT STREET
(adjacent to Dunbar Court)

WHEREAS, the Housing Authority of Champaign County owns all of the real property which abuts on both sides of that portion of Wright Street herein vacated; and

WHEREAS, the vacation of Wright Street will not impair access to any property other than that property owned by the Housing Authority of Champaign County; and

WHEREAS, in accordance with the requirements of Ordinance No. 9293-97 entitled "An Ordinance Requiring a Public Hearing Prior to the Vacating of a Street", a public hearing was held on the 19th day of July, 2004, which said date was more than fifteen (15) days, but less than thirty (30) days following the publication of the Notice of Hearing in a newspaper of general circulation in the City of Urbana, to-wit, said publication having occurred on the 26th day of June, 2004, and the Zoning Administrator also caused to be mailed, a copy of the said Notice so published, to each of the last known taxpayers of record of all properties adjacent to or within 250' in each direction of the portion of the street proposed to be vacated, said mailing having been accomplished on the 28th day of June, 2004.

NOW, THEREFORE, BE IT ORDAINED:

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

A portion of the Wright Street Right-of-Way, in the Northeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

All that part of the Wright Street Right-of-Way, lying northerly of the south line of the Northwest Quarter of the Northeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, as shown on a Plat of Survey prepared by M. H. Kinch, Illinois Registered Land Surveyor Number 358, and recorded in Plat Book "J" at page 98 in the Office of the Recorder of Deeds, Champaign County, Illinois. Said Right-of-Way being sixty-six feet (66') in width.

Said tract containing 21,582 Square Feet (0.50 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 number identified by PIN #91-21-07-205-007.

Section 4. This Ordinance shall be effective immediately upon its passage by the City Council and approval by the Mayor of the City of Urbana, Illinois.

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 members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council.

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

AYES:

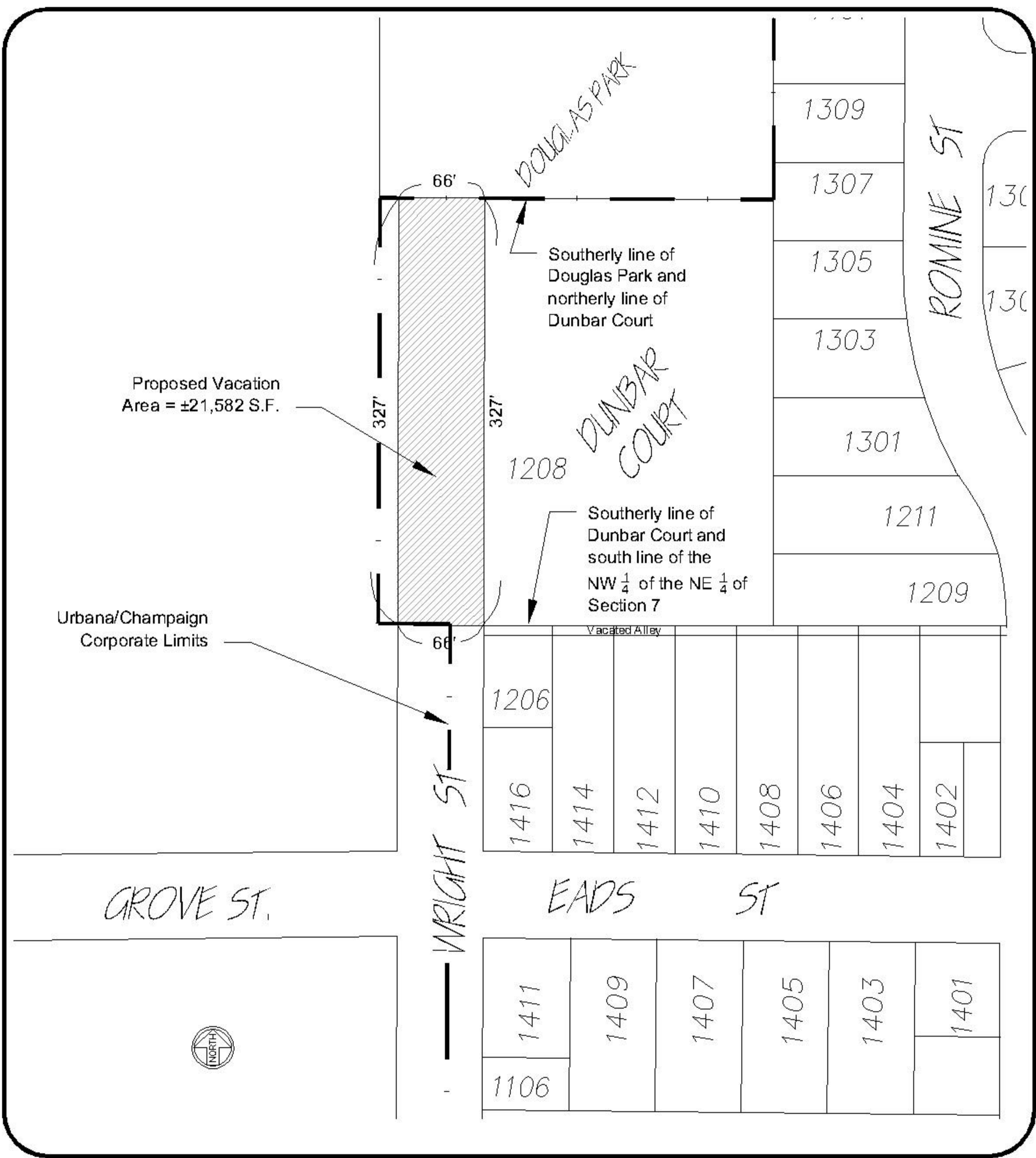
NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

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

Tod Satterthwaite, Mayor



PLAT MAP SHOWING PUBLIC
 RIGHT-OF-WAY VACATED
 BY ORDINANCE NO. 2004-XX-XXX
 CITY OF URBANA, ILLINOIS
 DATE: XXXXXXXX XX, 2004

City of Urbana
 Public Works Dept.
 Engineering Division

Drawn by: BWF Date: 06/21/04