

77



DocId:8446098

Tx:4188229

# Recording Cover Sheet

**An Ordinance Vacating an Alley  
(Alley North of Main Street East of Lynn Street)  
[Ordinance No. 2023-02-005]**

2023R07592  
REC ON: 06/12/2023 10:56:16 AM  
CHAMPAIGN COUNTY  
AARON AMMONS  
REC FEE: 51.00  
RHSPS FEE:  
STATE TAX:  
COUNTY TAX:  
PLAT ACT:  
PAGES: 7

Prepared for recording by:

Phyllis D. Clark, City Clerk

400 S. Vine St., Urbana, IL 61801

Return to:

Phyllis D. Clark, City Clerk  
City of Urbana  
400 S. Vine Street  
Urbana, IL 61801

CLERK'S CERTIFICATE

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF CHAMPAIGN )

I, PHYLLIS D. CLARK, City Clerk of the City of Urbana, Illinois, and keeper of the records, files and seal of said City, do hereby certify that the foregoing is a true and exact copy of an Ordinance entitled:

An Ordinance Vacating an Alley  
(Alley North of Main Street East of Lynn Street)

Adopted by the City Council of the City of Urbana, Illinois, on the 13th day of February, AD, 2023, as it appears in the records and files in my office remaining.

Given under my hand and seal of said City of Urbana, Illinois, this 9<sup>th</sup> day of June, AD, 2023.



Phyllis D. Clark  
Phyllis D. Clark, City Clerk

**ORDINANCE NO. 2023-02-005**

**AN ORDINANCE VACATING AN ALLEY**  
**(Alley north of Main Street east of Lynn Street)**

**WHEREAS**, the plat of N.W. Davis Second Addition to the City of Urbana, recorded in Plat Book "A" at page 294 in the Office of the Recorder of Deeds, Champaign County, Illinois, depicts a certain public alley 12.00' in width running east/west between Lots 10, 11, and 12 and Lots 16, 17, and 18 of the said N.W. Davis Second Addition; and

**WHEREAS**, on the face of the said plat, this 12.00' strip of land is labeled: "12.0' Alley" and was apparently intended to be an alley right-of-way for the convenient access through the western portion of this block; the majority of adjacent neighbors have advised that they have no objections to abandoning this alley right-of-way; and

**WHEREAS**, no paved surface was ever installed in the said Public Alley right-of-way; and

**WHEREAS**, the owners of Lots 10, 12, 16, and 18 of N.W. Davis Second Addition to the City of Urbana, recorded in Plat Book "A" at page 294 in the Office of the Recorder of Deeds, Champaign County, Illinois have requested that the City release, abandon, and vacate the said Public Alley right-of-way; and

**WHEREAS**, the City Council finds that the relief to the public from the further burden and responsibility of maintaining the alley herein vacated is just and adequate compensation for the benefits that will accrue to the said owners; and

**WHEREAS**, the Urbana City Council finds that it is in the best interests of all concerned that the said Public Alley right-of-way described below should be released, abandoned, and vacated, and in accordance with statute, the title to the land over which the aforesaid alley right-of-way runs shall devolve and vest in the present owners of the land abutting thereon in the same proportion and to the same extent as though the Public Alley right-of-way had been dedicated by a common law plat (as

distinguished from a statutory plat) and as though the fee of the Public Alley right-of-way had been acquired by the owner as part of the land abutting on the Public Alley right-of-way.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL AND THE MAYOR, BEING THE CORPORATE AUTHORITIES OF THE CITY OF URBANA, ILLINOIS, as follows:**

**Section 1.**

That the portion of the Public Alley right-of-way shown on the plat of N.W. Davis Second Addition to the City of Urbana, recorded in Plat Book "A" at page 294 in the Office of the Recorder of Deeds, Champaign County, Illinois, depicted a certain public alley 12.00' in width running east/west between Lots 10, 11, and 12 and Lots 16, 17, and 18 of the said N.W. Davis Second Addition, being more fully described immediately below, is hereby released, abandoned, and vacated upon the recording of a certified copy of this Ordinance with the Recorder of Deeds, Champaign County, Illinois.

Beginning at the southwest corner of Lot 10 of N.W. Davis Second Addition to the City of Urbana, recorded in Plat Book "A" at page 294 in the Office of the Recorder of Deeds, Champaign County, Illinois, said point being on the east Right-of-Way line of North Lynn Street; thence East along the north Right-of-Way line of the 12.0 feet wide platted alley 180.00 feet to the southeast corner of Lot 12 of said N.W. Davis Second Addition to the City of Urbana, said point being on the west line of a former north/south 12.0 feet wide alley vacated by Ordinance #8384-30; thence South along the west line of said vacated alley 12.00 feet to the northeast corner of Lot 18 of said N.W. Davis Second Addition to the City of Urbana; thence west along the south Right-of-Way line of the 12.0 feet wide platted alley 180.00 feet to the northwest corner of Lot 16 of said N.W. Davis Second Addition to the City of Urbana, said point being on the east Right-of-Way line of North Lynn Street; thence North along the east Right-of-Way line of North Lynn Street 12.00 feet to the point of beginning, containing 0.050 acre, more or less, and situated in the City of Urbana, Champaign County, Illinois.



**Section 2.**

That the vacation of the above-described alley shall be subject to the condition that a perpetual easement upon said east/west alley is hereby reserved for and granted to the City of Urbana, Illinois, any public utilities, and their successors and assigns to construct, install, reconstruct, repair, remove, replace, inspect, maintain, and operate their facilities in, under, across, along, over, and upon the vacated alley, together with the right of access thereto for the personnel and equipment necessary and required for such uses and purposes and the right to cut, trim, or remove trees, bushes, and roots as may be reasonably required incidental to the rights herein given.

**Section 3.**

That the right-of-way herein vacated shall attach to and become a part of the parcel numbers identified by PIN: 91-21-09-355-011, 91-21-09-355-012, 91-21-09-355-013, 91-21-09-355-001, 91-21-09-355-002 and 91-21-09-355-003.

**Section 4.**

That the plat of vacation attached hereto is incorporated in this Ordinance by reference.

**Section 5.**

That the City Clerk is directed to record a certified copy of this ordinance.

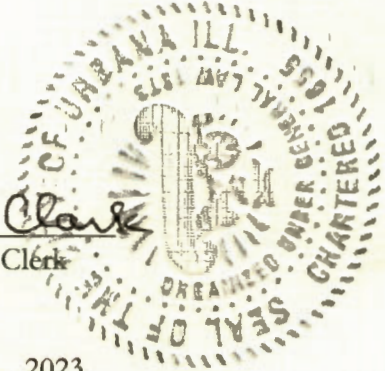
This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of two-thirds of the corporate authorities then holding office (6 of 8 votes) of the City of Urbana, Illinois, at a duly noticed and convened meeting of the said corporate authorities.

**PASSED BY THE CORPORATE AUTHORITIES** this 13th Day of February, 2023.

AYES: Wu, Hursey, Kolisetty, Bishop, Wilken, Quisenberry

NAYS: None

ABSTENTIONS: None

  
*Phyllis D. Clark*

Phyllis D. Clark, City Clerk

**APPROVED BY THE MAYOR** this 14<sup>th</sup> Day of March, 2023.

*Diane Wolfe Marlin*  
Diane Wolfe Marlin, Mayor

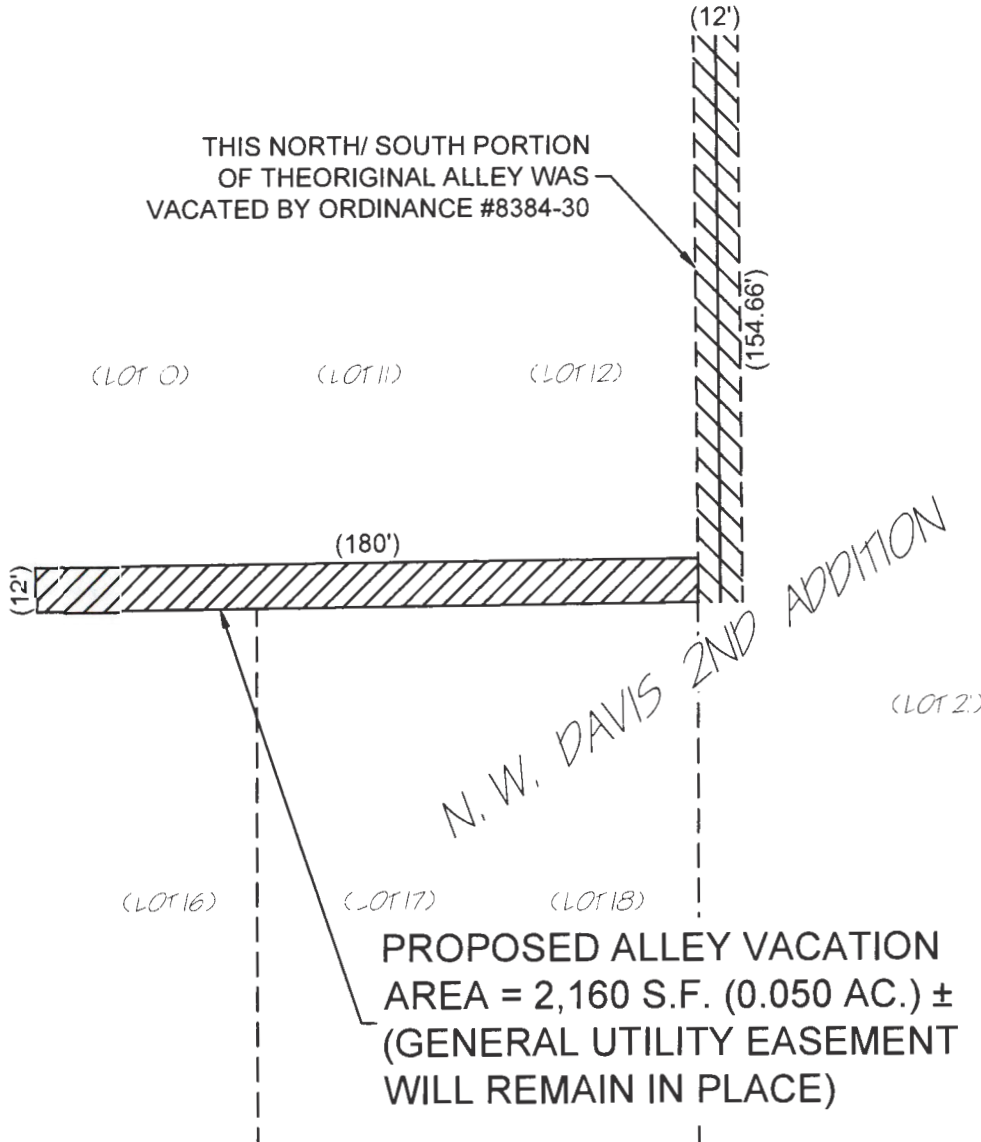


Scale: 1"=50'

E. WATER STREET

THIS NORTH/ SOUTH PORTION  
OF THE ORIGINAL ALLEY WAS  
VACATED BY ORDINANCE #8384-30

N. LYNN STREET



PROPOSED ALLEY VACATION  
AREA = 2,160 S.F. (0.050 AC.) ±  
(GENERAL UTILITY EASEMENT  
WILL REMAIN IN PLACE)

E. MAIN STREET



City of Urbana  
Public Works Department  
Engineering Division  
Date: 2/01/2023  
Drawn by: DAR

PLAT MAP SHOWING PUBLIC RIGHT-OF-WAY VACATED  
BY CITY OF URBANA ORDINANCE NO. 2023-02-005  
DATE: FEBRUARY 27, 2023