

AN ORDINANCE

VACATING A PORTION OF ILLINOIS STREET
IN THE CITY OF URBANA,
ILLINOIS

WHEREAS, the corporate authorities of the City of Urbana, Illinois, have determined, and do hereby determine, that the public interest will be subserved by vacating that portion of Illinois Street, one of the public streets of and in said City, which lies between the present west line of Goodwin Avenue and the present east line of Mathews Avenue in said City, and which is more particularly described as follows:

Beginning at the Southwest corner of Lot Twenty (20) of Joseph Nelson's Addition to the City of Urbana, Illinois, thence running East Three Hundred and Ninety-seven (397) feet more or less along the North line of Illinois Street to the Southeast corner of Lot One (1) of McClain Heirs Replat in the City of Urbana, thence South along the West line of Goodwin Avenue Sixty (60) feet to the Northeast corner of Lot Two (2) of Hassler's Replat of Nina B. Bronson's Subdivision of Block One (1) of Nina B. Bronson's Subdivision in the City of Urbana, thence West along the South line of Illinois Street Three Hundred and Ninety-seven (397) feet more or less to the Northwest corner of Lot Five (5) of said Nina B. Bronson's Subdivision of Block One (1) of Nina B. Bronson's Subdivision in the City of Urbana, thence North along the East line of Mathews Avenue Sixty (60) feet to the point of beginning, all in the Northeast Quarter of Section Eighteen (18) in Township Nineteen (19) North, Range Nine (9), East of the Third Principal Meridian, in Champaign County and State of Illinois;

and

WHEREAS, Article 69-11 of Chapter 24 of the Illinois Revised Statutes, 1951, State Bar Association Edition, provides that an ordinance vacating said portion of said street passed by the affirmative vote of at least three-fourths of all aldermen authorized to be elected to the City Council of said City may provide that it shall not become effective until the owners of all property abutting upon said portion of said street shall pay to said City compensation in an amount which, in the judgment of the corporate authorities of said City, shall be equal to the benefits

which will accrue to such property owners by reason of the vacation of said portion of said street; and

WHEREAS, the corporate authorities of said City have received assurances, and find, that it is unnecessary to reserve to the public utilities maintaining public service facilities in said portion of said street any rights-of-way or easements:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS:

SECTION 1. That the public interest will be subserved by vacating said hereinabove described portion of Illinois Street in said City, that said portion of Illinois Street in said City be, and the same is hereby, vacated, and that the title to the land included within said portion of said street so vacated shall vest in the then owners of the property abutting on said portion of said street when and if there is full compliance by each of such property owners and The Board of Trustees of the University of Illinois, a public corporation, with the provisions of Sections 2 and 3 of this Ordinance.

SECTION 2. The vacation of said portion of said street and the vesting of title to the land included within the same in the then owners of land abutting thereon shall not become effective until the owners of all of the property abutting upon said portion of said street on each side thereof shall pay compensation to the City of Urbana, Illinois equal to the benefits which will accrue to such property owners by reason of said vacation of said portion of said street, which said compensation equal to said benefits constitutes and is, in the judgment of the corporate authorities of said City of Urbana, the following:

For value of land at Two Dollars (\$2.00) per square foot	\$47,040.00
For value of improvements on said land	<u>4,573.00</u>
Total for land and improvements	\$51,613.00

and interest at the rate of five per cent (5%) per annum on said sum of \$51,613.00 from September 11, 1952 until said sum has been paid in full to said City, provided, however, that in the event the proportionate share of said sum of \$51,613.00 of any lot abutting upon said portion of said street is paid in full, together with interest at said rate thereon from said date, by the owner thereof prior to the payment of said entire sum of \$51,613.00, said interest shall cease to accrue and shall cease to become payable upon the sum so paid from the date of such payment thereof.

SECTION 3. The vacation of said portion of said street and the vesting of title to the land included within the same in the then owners of land abutting thereon shall also not become effective until said The Board of Trustees of the University of Illinois, which desires to construct and maintain a building for educational and research purposes (to be used for said purposes by the University of Illinois) across a portion of the area hereby so vacated, files with the City Clerk of said City of Urbana its covenant or undertaking in writing, duly executed on behalf of said The Board of Trustees of the University of Illinois by its duly authorized officers and under its corporate seal, covenanting, agreeing, and undertaking, in consideration of this vacation of said portion of said street, to forever indemnify the City of Urbana, Illinois and hold it harmless against any and all claims which may be asserted against it by any of the public utility companies now maintaining public service facilities in said portion of said street on account of this vacation thereof and also against any and all claims for damages which may be asserted by any and all other persons, firms, and corporations against the City of Urbana on account, or as a result, of this vacation of said portion of said street.

Adopted by the City Council of the City of Urbana, Illinois by the affirmative vote of eleven aldermen, constituting

three-fourths of all aldermen elected and authorized by law to be
elected to said City Council this 3rd day of November,
A. D. 1952.


CITY CLERK.

Approved by me, the Mayor of said City of Urbana, this
3rd day of November, A. D. 1952.


MAYOR.

STATE OF ILLINOIS)
) SS.
COUNTY OF CHAMPAIGN)

I, BESS M. HOLMES, 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 a Portion of Illinois Street in the City of Urbana, Illinois," adopted by the City Council of the City of Urbana, Illinois on the 3rd day of November, A. D. 1952, as shown in the records and files in my office remaining; that said ordinance was adopted by said Council as follows: There being present and voting in favor of said ordinance: - Aldermen, W. H. Ewing, Herbert Fiscus, Don Harlow, Stanley G. Iles, Earl Meenach, Fay Moore, Richard Parks, P. J. Rebman, Jamison Vawter, Nugent Wedding and Gilbert Winklepleck. Present but voting against said ordinance was Ray Watchorn.

That said ordinance was approved by the Mayor on the 3rd day of November, 1952 as appears in the records and files in my office remaining.

Given under my hand and seal of the City of Urbana, Illinois, this 3rd day of November, A. D. 1952.



CITY CLERK