

ORDINANCE 17,289

Prepared by:
City of Peoria
419 Fulton St.
Peoria, IL 61602

After recording return to:
Peoria Public Works Department
3505 N. Dries Lane
Peoria, IL 61604

**AN ORDINANCE VACATING APPROXIMATELY 755 FEET (1.388 +/- ACRES)
OF THE NORTHERNMOST PART OF TODD DRIVE
LOCATED NORTH OF U.S. 150 BETWEEN TRIGGER ROAD AND
ORANGE PRAIRIE ROAD ADJACENT TO AMERICAN TV SUBDIVISION**

WHEREAS, the rights of way more particularly hereinafter described are no longer of value to the public;
and

WHEREAS, in the opinion of the City Council of the City of Peoria, the public interest will be served by
vacating said rights of way as hereinafter described and shown on Exhibit 1, attached.

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

Section 1. All of the right of way described below and shown on the attached vacation plat, Exhibit 1,
which Exhibits for greater certainty is made a part of this ordinance, is hereby vacated and closed, with
the exception of reservations contained in Section 2 hereof. Said right of way is no longer required for
public use, and the public interest will be served by such vacation as is hereinafter provided for.

Description of road to be vacated:

BEING A PART OF TODD DRIVE, AS SHOWN ON THE FINAL PLAT OF "AMERICAN TV
SUBDIVISION" RECORDED IN PLAT BOOK 9 ON PAGE 124 AS DOCUMENT NUMBER 05-
33187 IN THE PEORIA COUNTY RECORDER'S OFFICE, SAID SUBDIVISION BEING PART OF
THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE
FOURTH PRINCIPAL MERIDIAN, CITY OF PEORIA, COUNTY OF PEORIA, STATE OF
ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 2 IN SAID AMERICAN TV SUBDIVISION,
SAID POINT ALSO BEING THE NORTHEAST CORNER OF TODD DRIVE. FROM SAID POINT
OF BEGINNING, THENCE SOUTH 00 DEGREES 08 MINUTES 56 SECONDS WEST 754.57 FEET
ALONG THE EAST RIGHT-OF-WAY LINE OF TODD DRIVE, ALSO BEING THE WEST LINE OF
SAID LOT 2; THENCE NORTH 89 DEGREES 40 MINUTES 06 SECONDS WEST 80.02 FEET TO A
POINT ON THE WEST RIGHT-OF-WAY LINE OF TODD DRIVE, ALSO BEING A POINT ON THE
EAST LINE OF THE WEST 46.3 ACRES OF THE NORTHEAST QUARTER OF SAID SECTION 10
LYING NORTH OF U.S. ROUTE 150; THENCE NORTH 00 DEGREES 08 MINUTES 48 SECONDS
EAST 756.04 FEET ALONG SAID WEST LINE OF TODD DRIVE AND SAID EAST LINE OF THE
WEST 46.3 ACRES OF THE NORTHEAST QUARTER OF SAID SECTION 10 LYING NORTH OF
U.S. ROUTE 150 TO THE NORTHWEST CORNER OF SAID TODD DRIVE, ALSO BEING A

POINT ON THE SOUTH LINE OF THE C.I.L.C.O./AMEREN 100 FEET WIDE PROPERTY;
THENCE SOUTH 88 DEGREES 36 MINUTES 52 SECONDS EAST 80.07 FEET ALONG THE
NORTH LINE OF SAID TODD DRIVE AND THE SOUTH LINE OF THE C.I.L.C.O./AMEREN 100
FEET WIDE PROPERTY TO THE POINT OF BEGINNING. CONTAINING 60,450 SQUARE FEET,
OR 1.388 ACRES, MORE OR LESS.

Note to County Recorder: Index to the Parcel I.D. Number 13-10-201-001 as shown in Exhibit 1:

Section 2. The City of Peoria hereby reserves unto all public utility companies presently operating in, upon, over and under said rights of way, all rights and privileges heretofore granted by City ordinances, including but not limited to, rights under franchises and agreements, which said rights and privileges shall continue in full force and effect the same as if this Ordinance otherwise vacating said rights of way had not been adopted and passed; such rights and privileges with respect to said public utility companies are to remain in effect until, and to terminate upon, the abandonment or release of such use or the relocation of such use outside the public rights of way herein vacated.

It is further provided that no building or other structures shall be erected on the said rights of way herein set forth, or other said reservations be made of such area which would interfere with use, maintenance, renewal or reconstruction of the facilities of said public utilities until such time that all said utilities are terminated as described above.

Section 3. This Ordinance shall take effect and be enforced from and after its passage and approval, subject, however, to the conditions of Section 2 hereof.

Adopted by the City Council of the City of Peoria, Illinois this 10 day of November, 2015.

APPROVED:




Mayor

ATTEST:



City Clerk

EXAMINED AND APPROVED:



Corporation Counsel

EXHIBIT 1

LEGAL DESCRIPTION OF THE PORTION OF TODD DRIVE TO BE VACATED

BEING A PART OF TODD DRIVE, AS SHOWN ON THE FINAL PLAT OF "AMERICAN TV SUBDIVISION" RECORDED IN PLAT BOOK 9 ON PAGE 124 AS DOCUMENT NUMBER 05-33187 IN THE PEORIA COUNTY RECORDER'S OFFICE, SAID SUBDIVISION BEING PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE FOURTH PRINCIPAL MERIDIAN, CITY OF PEORIA, COUNTY OF PEORIA, STATE OF ILLINOIS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 2 IN SAID AMERICAN TV SUBDIVISION, SAID POINT ALSO BEING THE NORTHEAST CORNER OF TODD DRIVE. FROM SAID POINT OF BEGINNING, THENCE SOUTH 00 DEGREES 08 MINUTES 56 SECONDS WEST 754.57 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF TODD DRIVE, ALSO BEING THE WEST LINE OF SAID LOT 2; THENCE NORTH 89 DEGREES 40 MINUTES 06 SECONDS WEST 80.02 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF TODD DRIVE, ALSO BEING A POINT ON THE EAST LINE OF THE WEST 46.3 ACRES OF THE NORTHEAST QUARTER OF SAID SECTION 10 LYING NORTH OF U.S. ROUTE 150; THENCE NORTH 00 DEGREES 08 MINUTES 48 SECONDS EAST 756.04 FEET ALONG SAID WEST LINE OF TODD DRIVE AND SAID EAST LINE OF THE WEST 46.3 ACRES OF THE NORTHEAST QUARTER OF SAID SECTION 10 LYING NORTH OF U.S. ROUTE 150 TO THE NORTHWEST CORNER OF SAID TODD DRIVE, ALSO BEING A POINT ON THE SOUTH LINE OF THE C.I.L.C.O./AMEREN 100 FEET WIDE PROPERTY; THENCE SOUTH 88 DEGREES 36 MINUTES 52 SECONDS EAST 80.07 FEET ALONG THE NORTH LINE OF SAID TODD DRIVE AND THE SOUTH LINE OF THE C.I.L.C.O./AMEREN 100 FEET WIDE PROPERTY TO THE POINT OF BEGINNING. CONTAINING 60,450 SQUARE FEET, OR 1.388 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
) SS
 CITY OF PEORIA)

WE, FARNSWORTH GROUP, INC., CONSULTING ENGINEERS, ARCHITECTS AND LAND SURVEYORS, HAVE PREPARED THIS ROAD RIGHT-OF-WAY VACATION PLAT FOR A PORTION OF TODD DRIVE, A DEDICATED PUBLIC ROADWAY AS SHOWN ON THE FINAL PLAT OF "AMERICAN TV SUBDIVISION" RECORDED IN PLAT BOOK 9 ON PAGE 124 AS DOCUMENT NUMBER 05-33187 IN THE PEORIA COUNTY RECORDER'S OFFICE, SAID SUBDIVISION BEING PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE FOURTH PRINCIPAL MERIDIAN, CITY OF PEORIA, COUNTY OF PEORIA, STATE OF ILLINOIS.

THIS PLAT, TO THE BEST OF OUR KNOWLEDGE AND BELIEF, IS A TRUE REPRESENTATION OF SAID RIGHT-OF-WAY DRAWN TO A SCALE OF 1 INCH = _____ FEET.

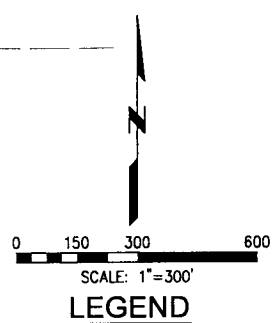
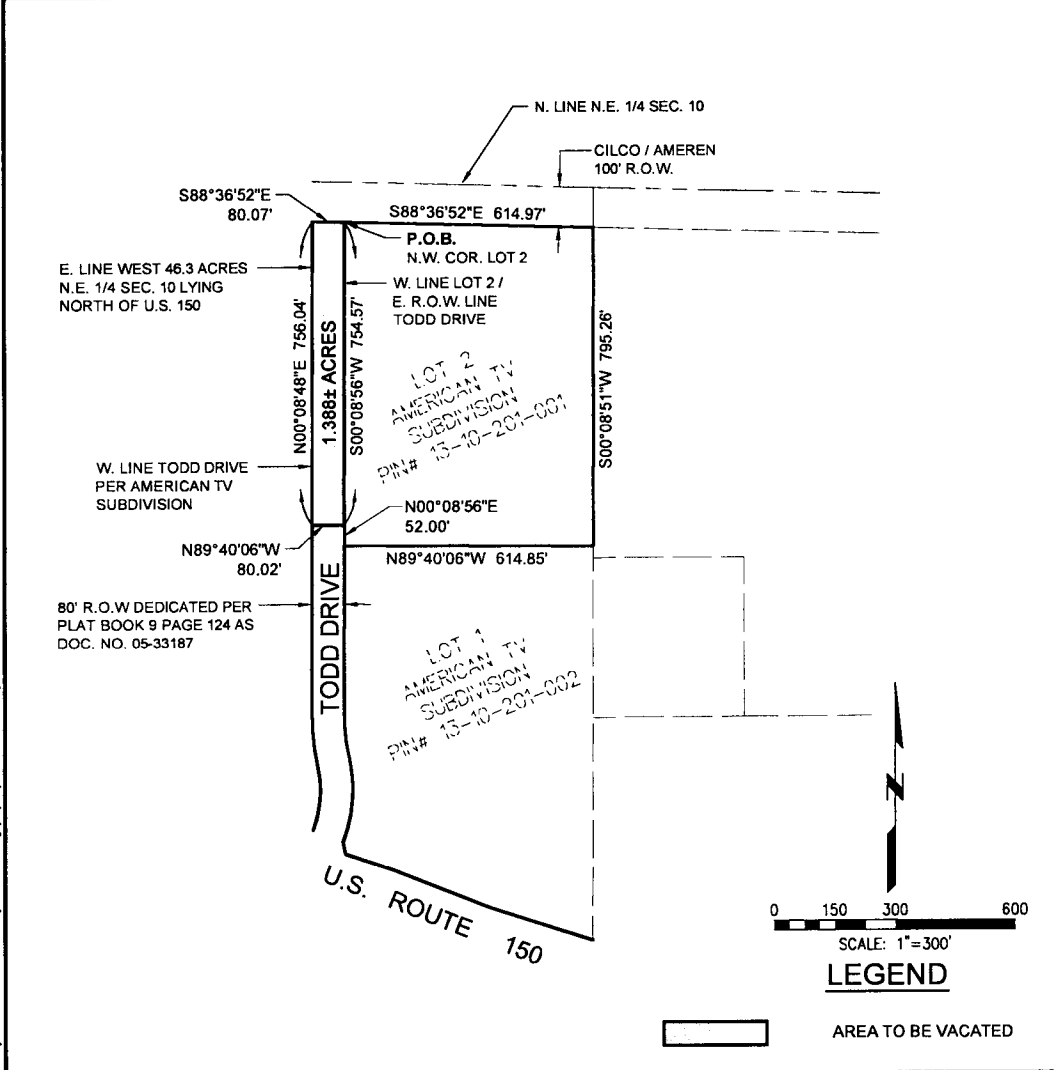
WITNESS MY HAND AND SEAL THIS _____ DAY OF _____ 2015.

FARNSWORTH GROUP, INC.
 7707 N. KNOXVILLE AVE, SUITE 100
 PEORIA, IL 61614

BY: _____
 KENNETH J. SILVERTHORN
 PROFESSIONAL LAND SURVEYOR NO. 3413



DATE: _____
 EXP. DATE: 11-30-2016
 DESIGN FIRM REGISTRATION NO. 184-001858



LEGEND

AREA TO BE VACATED

METHODIST COLLEGE STUDENT HOUSING PHASE 1
 TODD DRIVE RIGHT-OF-WAY

VACATION PLAT

Farnsworth
 GROUP
 7707 N. KNOXVILLE AVE, SUITE 100
 PEORIA, ILLINOIS 61614
 (309) 689-9888 / info@f-w.com

Project No:	0150319.005
Book No:	
Drawn by:	DJM
Reviewed:	TWE
Date:	6-28-15
1	

EXHIBIT 2

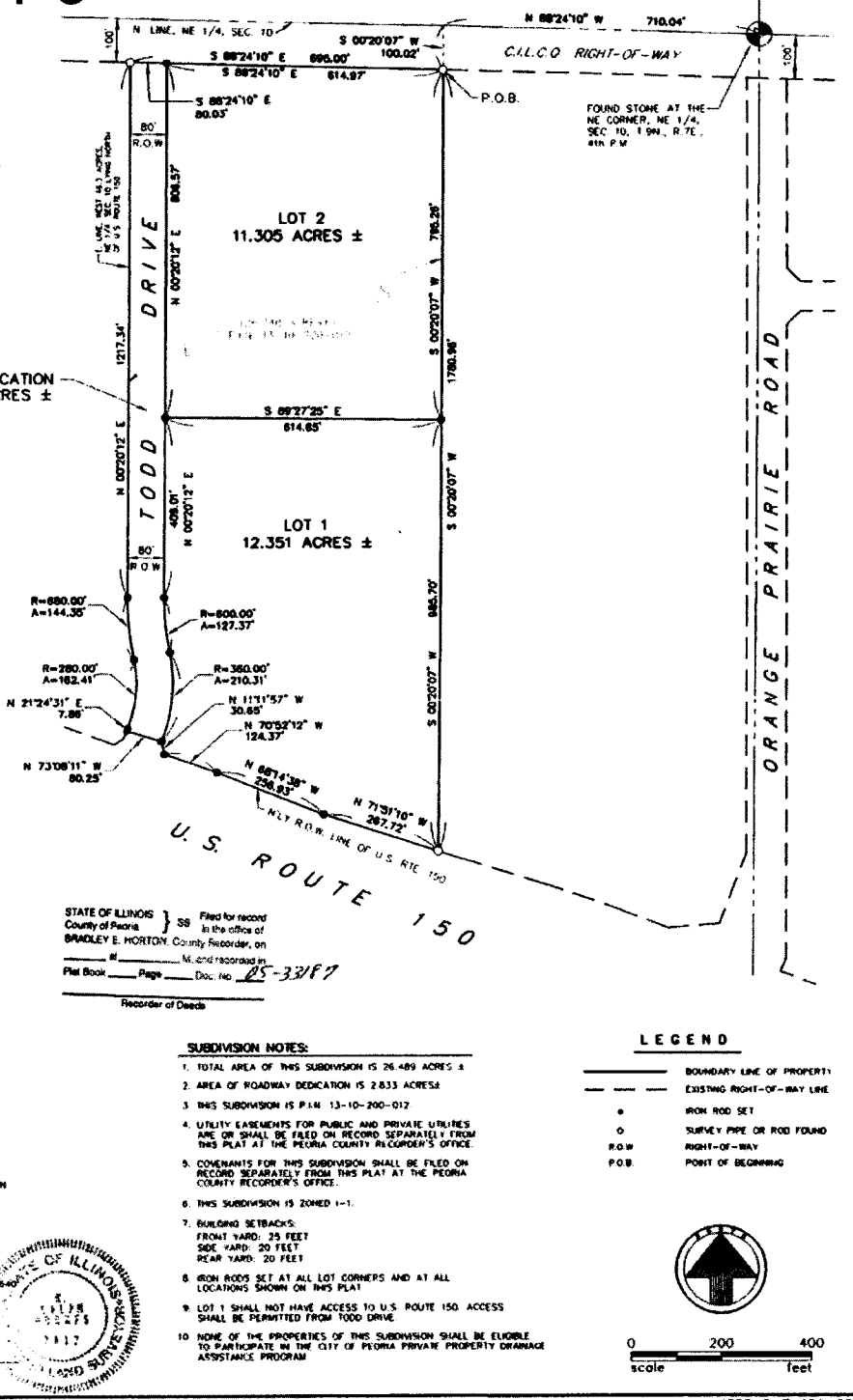


EXHIBIT 3

PRELIMINARY AND FINAL PLAT OF AMERICAN TV SUBDIVISION

BEING A SUBDIVISION OF A PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY, ILLINOIS

ROADWAY DEDICATION
2.833 ACRES ±



SURVEYOR CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF PEORIA } SS

WE, CONSOLIDATED LAND SURVEYING, INC., DO HEREBY CERTIFY THAT WE HAVE SURVEYED AND SUBDIVIDED INTO LOTS AND STREETS, TO BE KNOWN AS "AMERICAN TV SUBDIVISION", BEING A SUBDIVISION OF A PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE FOURTH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A STONE AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 10, RUNNING THENCE NORTH 89°-24'-10" WEST (OR BEINGS ASSUMED FOR THE PURPOSE OF DESCRIPTION ONLY), A DISTANCE OF 710.04 FEET ALONG THE NORTHERLY LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 00°-20'-07" WEST, A DISTANCE OF 100.02 FEET TO A POINT ON A LINE BEING 100.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10 AND THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE CONTINUING SOUTH 00°-20'-07" WEST, A DISTANCE OF 1,780.98 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. ROUTE 150; THENCE NORTH 71°-51'-10" WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. ROUTE 150, A DISTANCE OF 267.72 FEET; THENCE NORTH 68°-14'-58" WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. ROUTE 150, A DISTANCE OF 256.13 FEET; THENCE NORTH 70°-52'-12" WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. ROUTE 150, A DISTANCE OF 124.37 FEET; THENCE NORTH 11°-11'-57" WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. ROUTE 150, A DISTANCE OF 30.69 FEET; THENCE NORTH 73°-08'-11" WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. ROUTE 150, A DISTANCE OF 80.25 FEET; THENCE NORTH 21°-24'-31" EAST, A DISTANCE OF 7.86 FEET; THENCE IN A NORTH-EASTERLY DIRECTION ON A CURVE TO THE LEFT HAVING A RADIUS OF 280.00 FEET FOR AN ARC DISTANCE OF 162.41 FEET; THENCE IN A NORTH-WESTERLY DIRECTION ON A CURVE TO THE RIGHT HAVING A RADIUS OF 880.00 FEET FOR AN ARC DISTANCE OF 144.35 FEET TO A POINT ON THE EAST LINE OF THE WEST 46.3 ACRES OF THE NORTHEAST QUARTER OF SAID SECTION 10 LYING NORTH OF U.S. ROUTE 150; THENCE NORTH 00°-20'-12" EAST ALONG THE EAST LINE OF THE WEST 46.3 ACRES OF THE NORTHEAST QUARTER OF SAID SECTION 10 LYING NORTH OF U.S. ROUTE 150, A DISTANCE OF 1,217.34 FEET TO A POINT ON A LINE BEING 100.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE SOUTH 88°-24'-10" EAST ALONG A LINE BEING 100.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10, A DISTANCE OF 895.00 FEET TO THE POINT OF BEGINNING, CONTAINING 26.489 ACRES, MORE OR LESS, SITUATED IN PEORIA COUNTY AND STATE OF ILLINOIS.

WE FURTHER CERTIFY THAT THE ABOVE PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SUBDIVISION AS DRAWN TO A SCALE OF 1 INCH EQUALS 200 FEET.

WE FURTHER CERTIFY THAT NO PART OF THE PARCEL INCLUDED IN THIS SURVEY AND SUBDIVISION IS LOCATED WITHIN THE SPECIAL FLOOD HAZARD AREA IDENTIFIED FOR PEORIA COUNTY, ILLINOIS, BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ON THE FLOOD INSURANCE MAP, PANEL NUMBER 170533 0125 B DATED JUNE 1, 1983.

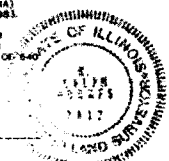
WE FURTHER CERTIFY, IN COMPLIANCE WITH ILLINOIS HOUSE BILL NO. 532, THAT NO PART OF THE PROPERTY OWNED BY THIS PLAT OR SUBDIVISION IS SITUATED WITHIN 500 FEET OF ANY SURFACE DRAIN OR WATERCOURSE SERVING A TRIBUTARY AREA OF 640 ACRES OR MORE.

DATED AT PEORIA, ILLINOIS, THIS 29th DAY OF SEPTEMBER, A.D. 2003

CONSOLIDATED LAND SURVEYING, INC.

By: *St. Louis, Illinois*

ILLINOIS LAND SURVEYOR NO. 5812



OWNER'S CERTIFICATE

STATE OF WISCONSIN }
COUNTY OF DADE } SS

I, THE UNDERSIGNED, CERTIFY THAT I/WE HAVE CAUSED THE SURVEY AND SUBDIVISION HEREOF TO BE MADE AS SHOWN ON THE ACCOMPANYING PLAT AND TO BE KNOWN AS "AMERICAN TV SUBDIVISION", AND I/WE ACKNOWLEDGE SAID SURVEY AND SUBDIVISION TO BE CORRECT TO THE BEST OF MY/OUR KNOWLEDGE AND BELIEF AND I/WE HEREBY DEDICATE THE RIGHT-OF-WAY AS SHOWN TO THE PUBLIC USE FOREVER.

UTILITY EASEMENTS ARE NOW AND WILL BE RESERVED FOR THE USE OF THE PUBLIC UTILITY COMPANIES, THEIR SUCCESSORS AND ASSIGNS (FILED SEPARATELY FROM THIS PLAT AT THE PEORIA COUNTY RECORDER'S OFFICE), TO INSTALL, LAY, CONSTRUCT, OPERATE, MAINTAIN, RENEW AND/OR REMOVE UNDERGROUND GAS PIPES, ELECTRIC AND TELEPHONE CABLES OR CONDUITS, WITH ALL NECESSARY ABOVEGROUND OVERHEAD ELECTRIC AND TELEPHONE POLE AND WIRE LINE INSTALLATIONS WITH ALL NECESSARY BRACES, CUTS, ANCHORS AND OTHER APPLIANCES FOR THE PURPOSE OF SERVING THE SUBDIVISION AND ADJOINING PROPERTIES WITH GAS, ELECTRIC AND TELEPHONE SERVICE, INCLUDING THE RIGHT TO USE THE STREETS WHERE NECESSARY AND TO OVERPASS OR BURY ACROSS ALL LOTS SERVICE WIRES, PIPELINES AND/OR CABLES TO SERVE ADJACENT LOTS, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES TO INSTALL, OPERATE AND MAINTAIN SAID UTILITY FACILITIES AND TO TRIM OR REMOVE ANY TREES, SHRUBS OR SAPLINGS THAT INTERFERE OR THREATEN WITH SAID UTILITY FACILITIES.

NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR GARDENS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT INTERFERE WITH USE OF SAID EASEMENTS.

I/WE FURTHER CERTIFY TO THE BEST OF MY/OUR KNOWLEDGE THAT THE ADJOINING LAND DESCRIBED ON THIS PLAT IS IN THE FOLLOWING SCHOOL DISTRICT: DUNLAP DISTRICT 323.

DATED AT PEORIA, ILLINOIS, THIS 17th DAY OF September, A.D. 2003

AMERICAN TV AND APPLIANCE OF MADISON, INC.
Shirley J. ...
SENIOR VICE PRESIDENT

NOTARY PUBLIC CERTIFICATE

STATE OF WISCONSIN }
COUNTY OF DADE } SS

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT Shirley J. ... PERSONALLY KNOWN TO ME TO BE THE SAME PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/SHE SIGNED, SEALED AND DELIVERED THE SAID INSTRUMENT AS HIS/HER FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES SET FORTH, AND ON HIS/HER OATH STATED THAT HE/SHE IS/ARE DULY AUTHORIZED TO EXECUTE SAID INSTRUMENT.

GIVEN UNDER MY HAND AND SEAL THIS 17th DAY OF September, A.D. 2003.

Joseph P. ...
NOTARY PUBLIC

COUNTY CLERK CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF PEORIA } SS

I HEREBY CERTIFY THAT I FIND NO DELINQUENT GENERAL TAXES, UNPAID CURRENT TAXES, DELINQUENT SPECIAL ASSESSMENTS OR UNPAID CURRENT SPECIAL ASSESSMENTS AGAINST ANY OF THE REAL ESTATE EMBRACED IN THE ACCOMPANYING PLAT OF "AMERICAN TV SUBDIVISION".

GIVEN UNDER MY HAND AND SEAL THIS 16th DAY OF October, A.D. 2003.

Deanna ...
COUNTY CLERK

CITY PLANNING DIRECTOR CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF PEORIA } SS

I HEREBY CERTIFY THAT THIS PRELIMINARY AND FINAL PLAT OF "AMERICAN TV SUBDIVISION" IS APPROVED THIS 30th DAY OF October, A.D. 2003.

Fred ...
DIRECTOR, PLANNING & GROWTH MANAGEMENT

STATE OF ILLINOIS }
County of Peoria } SS Filed for record
Bradley E. Horton, County Recorder, on
N. and M. and recorded on
Plat Book Page Doc. No. 25-3387

Recorder of Deeds

SUBDIVISION NOTES:

- TOTAL AREA OF THIS SUBDIVISION IS 26.489 ACRES ±
- AREA OF ROADWAY DEDICATION IS 2.833 ACRES
- THIS SUBDIVISION IS P.L.M. 13-10-200-012
- UTILITY EASEMENTS FOR PUBLIC AND PRIVATE UTILITIES ARE OR SHALL BE FILED ON RECORD SEPARATELY FROM THIS PLAT AT THE PEORIA COUNTY RECORDER'S OFFICE
- COVENANTS FOR THIS SUBDIVISION SHALL BE FILED ON RECORD SEPARATELY FROM THIS PLAT AT THE PEORIA COUNTY RECORDER'S OFFICE.
- THIS SUBDIVISION IS ZONED I-1.
- BUILDING SETBACKS:
FRONT YARD: 25 FEET
SIDE YARD: 20 FEET
REAR YARD: 20 FEET
- IRON RODS SET AT ALL LOT CORNERS AND AT ALL LOCATIONS SHOWN ON THIS PLAT
- LOT 1 SHALL NOT HAVE ACCESS TO U.S. ROUTE 150. ACCESS SHALL BE PERMITTED FROM TODD DRIVE.
- NONE OF THE PROPERTIES OF THIS SUBDIVISION SHALL BE ELIGIBLE TO PARTICIPATE IN THE CITY OF PEORIA PRIVATE PROPERTY DRAINAGE ASSISTANCE PROGRAM

LEGEND

- BOUNDARY LINE OF PROPERTY
- EXISTING RIGHT-OF-WAY LINE
- IRON ROD SET
- SURVEY PIPE OR ROD FOUND
- RIGHT-OF-WAY
- POINT OF BEGINNING



0 200 400
scale feet