

**PARTIAL RELEASE OF  
PUBLIC UTILITY  
EASEMENT**

*Peoria County*

This instrument prepared by  
and upon recording return to:

Michael A. Keeton  
Miller, Hall & Triggs, LLC  
416 Main Street, Suite 1125  
Peoria, IL 61602-1161

**PARTIAL RELEASE OF PUBLIC UTILITY EASEMENT**

This Partial Release of Public Utility Easement (“Partial Release”) is executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the CITY OF PEORIA, a municipal corporation, in the County of Peoria and State of Illinois (“City”).

**RECITALS**

WHEREAS, the City, did by Ordinance No. 16,028 dated November 21, 2006, and recorded in the office of the Recorder of Deeds of Peoria County on December 11, 2006 as Document No. 06-39913 (the “Vacation Ordinance”, attached hereto as Exhibit A), provide for the vacation of rights of way over certain real property as described within the Vacation Ordinance (the “Vacated Rights of Way”), with the reservation unto itself for any existing sewers and unto all public utility companies then operating in, upon, over and under said Vacated Rights of Way, all rights and privileges theretofore granted by City ordinances, including but not limited to, rights under franchises and agreements, which said rights and privileges were to continue in full force and effect the same as if the Vacation Ordinance otherwise vacating said Vacated Rights of Way had not been adopted and passed, and such rights and privileges with respect to said public utility companies were to remain in effect until, and to terminate upon, the abandonment or release of such use or the relocation of such use outside the Vacated Rights of Way; and

WHEREAS, certain real property upon which the majority of the Vacated Rights of Way are located is legally described and graphically depicted upon Exhibit B hereof (the “Subject Property”); and

WHEREAS, at the time of the execution and recording of the Vacation Ordinance, a sanitary sewer owned by the City and operated by THE GREATER PEORIA SANITARY AND SEWAGE DISPOSAL DISTRICT, a municipal corporation of the County of Peoria and State of Illinois (“GPSD”) was located upon the Subject Property within and under that portion of the Vacated Rights of Way identified within the Vacation Ordinance as “all of the Alley running East-West through Blocks 73, 80 and 89 in...Aiken, Monson, and Sanford’s Addition...” (the “Vacated Alley”); and

WHEREAS, at the request of the developer of the Subject Property, and after consultation and agreement with GPSD, the City has agreed to abandon all of its public utility rights, title and interest in and to the Vacated Rights of Way on the Subject Property, except for the "Excepted Sanitary Sewer Tract", as graphically depicted upon Exhibit C hereof and referenced therein as "EASEMENT TO REMAIN"; and

NOW, THEREFORE, for and in consideration of the sum of One and No/100 Dollars (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City agrees as follows:

**City hereby releases all right, title and interest which it may have in and to the Vacated Rights of Way located on the Subject Property, except for the Excepted Sanitary Sewer Tract.**

It is expressly understood that all other easement rights of record of City (if any) as located upon the Subject Property shall continue in full force and effect.

IN WITNESS WHEREOF, City has caused this Partial Release to be duly executed the day above stated.

City of Peoria, a Municipal Corporation

By: \_\_\_\_\_  
Patrick Urich  
City Manager

ATTEST:

By: \_\_\_\_\_  
Beth A. Ball  
City Clerk

APPROVED  
LEGAL DEPARTMENT

By: \_\_\_\_\_





**EXHIBIT B, Page 1 of 2**  
**Legal Description of Subject Property**  
**(Graphical Depiction Next Page)**

**LOT 1A AND LOT 1B AS SHOWN ON THE FINAL PLAT OF “SOUTHTOWN MEDICAL SUBDIVISION”, A RESUBDIVISION OF LOT 1 OF “SOUTHTOWN EXTENSION 3”, BEING A RESUBDIVISION OF PART OF BLOCKS 72, 73, 80 AND 89 IN “AIKEN, MONSON AND SANFORD ADDITION TO THE TOWN OF PEORIA”, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP-8-NORTH, RANGE-8-EAST OF THE FOURTH PRINCIPAL MERIDIAN, CITY OF PEORIA, PEORIA COUNTY, ILLINOIS, AS RECORDED IN THE PEORIA COUNTY RECORDER’S OFFICE ON DECEMBER 10, 2014 AS DOCUMENT NO. 2014-025866, IN PLAT BOOK 13, PAGE 53.**

WITH SAID LOT 1A AND LOT 1B BEING PARTS OF TAX I.D.: 18-09-110-027.



