

ORDINANCE NO. 17,106

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

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

AN ORDINANCE TO VACATE APPROXIMATELY 614 FEET OF BERKELEY AVENUE
SOUTH OF PENNSYLVANIA AVENUE AND
223 FEET OF ARMSTRONG AVENUE EAST OF BERKELEY AVENUE

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 A.

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

Section 1. All of the right of way described and shown on the vacation plat attached as Exhibit A, which Exhibit 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.

NOTE to County Recorder: Index to the Parcel I.D. Numbers:

18-04-259-002
18-04-401-006
18-04-255-018
18-04-258-013
18-04-258-016
18-04-258-014


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.

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 10th day of June, 2014.

APPROVED:



Mayor

ATTEST:



City Clerk

EXAMINED AND APPROVED:



Interim Corporation Counsel

LEGAL DESCRIPTION
BERKELEY AVENUE AND ARMSTRONG AVENUE VACATION
PARCEL

Part of Block 13 of Smith Frye's Addition to the City of Peoria, as shown on a subdivision plat dated April 1855, recorded in Plat Book G, at Page 40; part of a Resurvey of Block 14 Smith Frye's Addition to the City of Peoria, as shown on a subdivision plat recorded May 31, 1864, in Plat Book A, at Page 84; part of Underhill & Greenleaf's Addition to the City of Peoria, as shown on a subdivision plat dated June 1852, recorded in Plat Book G, at Page 72; part of a Subdivision of Peter Bootz's Estate, as shown on a subdivision plat recorded April 8, 1889, in Plat Book B, at Page 284, and a part of the Southwest Quarter of the Northeast Quarter all in Section 4, Township 8 North, Range 8 East of the Fourth Principal Meridian more particularly described as follows:

Commencing at an iron rod at the northwest corner of Lot 14 in said Underhill & Greenleaf's Addition, said corner to be the Point of Beginning of the Berkeley Avenue and Armstrong Avenue Vacation Parcel to be described;

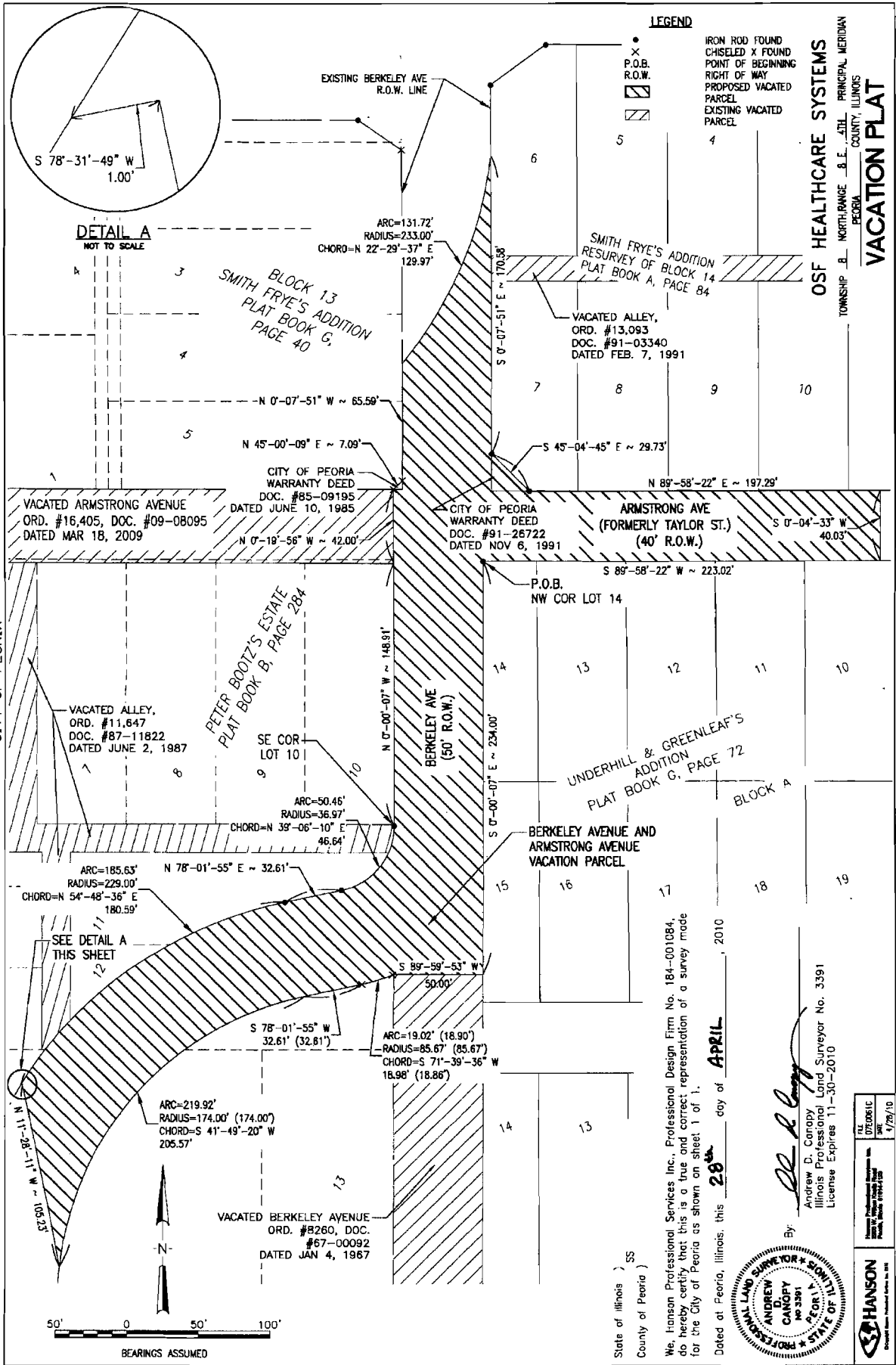
From the Point of Beginning, thence South $0^{\circ}-00'-07''$ East (bearings assumed for description purposes only) along the west line of said Lot 14 and Lot 15, said line also being the east right of way line of said Berkeley Avenue 234.00 feet to the intersection of said east right of way line with the north line of a Vacated Parcel as described in Section 1 of Ordinance #8260 dated December 20, 1966, and recorded January 4, 1967, as Document #67-00092; thence South $89^{\circ}-59'-53''$ West along the south right of way line of said Berkeley Avenue 50.00 feet to a chiseled cross found; thence westerly continuing along said south right of way line along a non-tangential curve to the right an arc distance of 19.02 feet, said curve having a radius of 85.67 feet and a chord bearing South $71^{\circ}-39'-36''$ West 18.98 feet to a chiseled cross found; thence South $78^{\circ}-01'-55''$ West continuing along said south right of way line 32.61 feet; thence southwesterly continuing along the southeasterly right of way line of said Berkeley Avenue along a curve to the left an arc distance of 219.92 feet, said curve having a radius of 174.00 feet and a chord bearing South $41^{\circ}-49'-20''$ West 205.57 feet; thence North $11^{\circ}-28'-11''$ West 105.23 feet; thence South $78^{\circ}-31'-49''$ West 1.00 feet to a point on the northwesterly right of way line of said Berkeley Avenue; thence northeasterly along said northwesterly right of way line along a curve to the right an arc distance of 185.63 feet, said curve having a radius of 229.00 feet and a chord bearing North $54^{\circ}-48'-36''$ East 180.59 feet to an iron rod found; thence North $78^{\circ}-01'-55''$ East along the north right of way line of said Berkeley Avenue 32.61 feet to an iron rod found; thence easterly continuing along said north right of way line along a curve to the left an arc distance of 50.46 feet, said curve having a radius of 36.97 feet and a chord bearing North $39^{\circ}-06'-10''$ East 46.64 feet to an iron rod found at the southeast corner of Lot 10 in said Peter Bootz's Estate; thence North $0^{\circ}-00'-07''$ West along said west right of way line 148.91 feet; thence North $0^{\circ}-19'-56''$ West continuing said west right of way line 42.00 feet to a chiseled cross found at the intersection of said west right of way line with the northwest right of way line of said Berkeley Avenue as

described in a Warranty Deed dated May 13, 1985, and recorded June 10, 1985, as Document #85-09195; thence North $45^{\circ}-00'-09''$ East along said northwest right of way line 7.09 feet to a chiseled cross found on the west right of way line of said Berkeley Avenue, said line also being the east line of Lot 5 in Block 13 Smith Frye's Addition; thence North $0^{\circ}-07'-51''$ West along said west right of way line 65.59 feet; thence northeasterly along a non-tangential curve to the left an arc distance of 131.72 feet, said curve having a radius of 233.00 feet and a chord bearing North $22^{\circ}-29'-37''$ East 129.97 feet to a point on the east right of way line of said Berkeley Avenue, said line also being the west line of Lot 6; thence South $0^{\circ}-07'-51''$ East along said east right of way line 170.58 feet to an iron rod found at the intersection of said east right of way with the northeast right of way line of said Berkeley Avenue as described in a Warranty Deed dated November 1, 1991, and recorded November 6, 1991, as Document #91-26722; thence South $45^{\circ}-04'-45''$ East along said northeast right of way line 29.73 feet to an iron rod found on the north right of way line of Armstrong Avenue, said line also being the south line of Lot 7; thence North $89^{\circ}-58'-22''$ East along said north right of way line 197.29 feet; thence South $0^{\circ}-04'-33''$ West 40.03 feet to a point on the south right of way line of said Armstrong Avenue, said line also being the north line of Lot 10 in said Underhill & Greenleaf's Addition; thence South $89^{\circ}-58'-22''$ West along said south right of way line 223.02 feet to the Point of Beginning.

Said Berkeley Avenue and Armstrong Avenue Vacation Parcel contains 0.981 acres, more or less, and 42,733 square feet, more or less.

Prepared by:
Hanson Professional Services Inc.
7625 N. University St., Suite 200
Peoria, Illinois 61614
Job. No. 07E0061C

Exhibit A, 2 of 3



LEGEND

- X P.O.B.
- R.O.W.
- ▨ PROPOSED VACATED PARCEL
- ▩ EXISTING VACATED PARCEL

OSF HEALTHCARE SYSTEMS VACATION PLAT

TOWNSHIP B NORTH RANGE 4 E 4TH PRINCIPAL MERIDIAN PEORIA COUNTY, ILLINOIS

We, Hanson Professional Services Inc., Professional Design Firm No. 184-001084, do hereby certify that this is a true and correct representation of a survey made for the City of Peoria as shown on sheet 1 of 1.

Dated at Peoria, Illinois, this **28th** day of **APRIL**, 2010

By: *[Signature]*
 Andrew D. Conroy
 Illinois Professional Land Surveyor No. 3391
 License Expires 11-30-2010

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 07/29/10 BY 60320/UC/BAW

HANSON
 PROFESSIONAL DESIGN FIRM
 184-001084

NO.	R.O.W.	PLAT	QUANTIFIED	ACC.	CHK.	DATE
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						

CATALOG NO. :
 CONTRACT NO. :