

ORDINANCE

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

**ORDINANCE VACATING FOUR THOUSAND SQUARE FEET (4,000 SQFT OR
0.92 ACRES) OF ALLEY, ADJACENT TO PARCELS 18-04-251-001, 18-04-251-005,
18-04-251-006, and 18-04-251-007, PART OF BLOCK 7 OF SMITH FRYES ADDITION
TO THE CITY OF PEORIA, PEORIA, IL;**

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 rights of way described below and shown on the attached vacation plat, Exhibit A, which Exhibits for greater certainty are 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 Right-of-Way to be vacated:

LEGAL DESCRIPTION:

PART OF A 16 FOOT WIDE ALLEY IN BLOCK 7 OF SMITH FRYE'S ADDITION TO THE CITY OF PEORIA AS SHOWN IN BOOK "RA", PAGE 5 IN THE PEORIA COUNTY RECORDER'S OFFICE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE 16 FOOT WIDE ALLEY IN BLOCK 7 OF SMITH FRYE'S ADDITION TO THE CITY OF PEORIA LYING BETWEEN THE EAST RIGHT OF WAY LINE OF KNOXVILLE AVENUE AND THE WEST RIGHT OF WAY LINE OF DECHMAN AVENUE.

Note to County Recorder: Index to the Parcel I.D. Numbers shown in Exhibit A:

18-04-251-001
18-04-251-005
18-04-251-006
And
18-04-251-007

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 ____ day of _____, 2021.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel