

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 33.33 FEET (0.012 ACRE) OF AN ALLEY
BOUNDED BY NEBRASKA AVENUE, SHERIDAN ROAD, ELEANOR PLACE
AND ELLIS STREET, ADJACENT TO LOTS 4 & 15, IN DISTLER'S SUBDIVISION, PEORIA**

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 rights of way described below and shown on the attached vacation plat, Exhibit 1, 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 alley to be vacated:

A PART OF DISTLER'S SUBDIVISION, A SUBDIVISION OF A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION THIRTY-THREE (33), TOWNSHIP NINE (9) NORTH, RANGE EIGHT (8) EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE CITY OF PEORIA, ILLINOIS, THE PLAT OF WHICH IS RECORDED IN PLAT BOOK C AT PAGE 22 IN THE PEORIA COUNTY RECORDER'S OFFICE, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 4 IN SAID DISTLER'S SUBDIVISION; THENCE NORTH 00°-29'-45" EAST, ALONG THE EAST LINE OF SAID LOT 4, 33.33 FEET; THENCE SOUTH 89°-28'-21" EAST, 16.00 FEET TO THE WEST LINE OF LOT 15 IN SAID DISTLER'S SUBDIVISION; THENCE SOUTH 00°-29'-45" WEST, ALONG SAID WEST LINE, 33.33 FEET TO THE SOUTHWEST CORNER OF SAID LOT 15, THENCE NORTH 89°-28'-21" WEST, ALONG THE NORTH LINE OF A PORTION OF THE ALLEY PREVIOUSLY VACATED BY ORDINANCE No. 7090 RECORDED IN BOOK 1121 AT PAGE 691 IN THE PEORIA COUNTY RECORDER'S OFFICE, 16.00 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 0.012 ACRE, MORE OR LESS

Note to County Recorder: Index to the Parcel I.D. Numbers shown in Exhibit 1:

14-33-352-007

14-33-352-015

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 _____, 2015.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel