

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

AN ORDINANCE VACATING ELEVEN THOUSAND, ONE HUNDRED FORTY-FOUR SQUARE FEET (11,144 SQFT OR 0.256 ACRES) OF UNOCCUPIED ALLEY, ADJACENT TO LOTS 17-24 AND 25-32, SMITH & MILLER'S WOODS SUBDIVISION, AND LOTS 80-82 AND 83-85 IN GRANDVIEW ADDITION 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 1.

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 Right-of-Way to be vacated:

LEGAL DESCRIPTION:

ALL OF THE 20.00 FOOT ALLEY BETWEEN LOTS 17-24 AND 25-32, AS SHOWN IN SMITH & MILLER'S WOODS SUBDIVISION; ALSO THE SOUTH HALF, (10.00 FEET) OF THE 20.00 FOOT WIDE ALLEY BETWEEN LOTS 80-82 AND LOTS 83-85 IN GRANDVIEW ADDITON; TO BECOME A PART OF PIN 14-26-177-033

ALL OF THE 20.00 FOOT ALLEY BETWEEN LOTS 17-24 AND 25-32, AS SHOWN IN SMITH & MILLER'S WOODS SUBDIVISION; ALSO THE SOUTH HALF, (10.00 FEET) OF THE 20.00 FOOT WIDE ALLEY BETWEEN LOTS 80-82 AND LOTS 83-85 IN GRANDVIEW ADDITON; TO BECOME A PART OF PIN 14-26-177-033

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

14-26-177-033

And

14-26-177-039

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 _____, 2019.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel