

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
487 FEET OF LINDBERGH DRIVE NORTH OF BIRD BOULEVARD

WHEREAS, the right of way more particularly hereinafter described is no longer of value to the public with the contemporaneous dedication to the City of Peoria of real estate connecting Lindbergh Drive to Hale Avenue; and

WHEREAS, in the opinion of the City Council of the City of Peoria, the public interest will be served by vacating said right 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 B, which Exhibit for greater certainty is made a part of this ordinance, is hereby vacated and closed, with the exceptions 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 Parcel I.D. Number: 14-05-201-016

Section 2. The City of Peoria hereby reserves unto all public utility companies presently operating in, upon, over and under said right 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 right 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 right of way herein vacated.

It is further provided that no building or other structures shall be erected on the said right 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 ____ day of _____, 2016.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel

EXHIBIT A

LEGAL DESCRIPTION

A PART OF LINDBERGH DRIVE TO BE VACATED AS PUBLIC ROADWAY, BEING A PART OF THE NE ¼ OF SECTION 5, T. 9 N., R. 8 E OF THE 4TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 4 OF KNOXVILLE SQUARE, BEING A SUBDIVISION OF PART OF THE NE 1/4 OF SAID SECTION 5, T. 9 N., R. 8 E. OF THE 4TH P.M., AND A PART OF THE SE 1/4 OF SECTION 32, T. 10 N., R. 8 E. OF THE 4TH P.M.; THENCE S0°00'59"W ALONG THE EAST RIGHT OF WAY LINE OF SAID LINDBERGH DRIVE, A DISTANCE OF 196.00 FEET TO THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE S00°00'59"W ALONG THE EAST RIGHT OF WAY LINE OF SAID LINDBERGH DRIVE, A DISTANCE OF 486.45 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF BIRD BOULEVARD; THENCE S89°57'00"W ALONG THE NORTH RIGHT OF WAY OF SAID BIRD BOULEVARD, A DISTANCE OF 68.64 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SAID LINDBERGH DRIVE; THENCE N00°01'00"W ALONG THE WEST RIGHT OF WAY LINE OF SAID LINDBERGH DRIVE, A DISTANCE OF 213.58 FEET; THENCE N89°53'09"W ALONG THE WEST RIGHT OF WAY LINE OF SAID LINDBERGH DRIVE, A DISTANCE OF 10.00 FEET; THENCE N00°01'00"W ALONG THE WEST RIGHT OF WAY LINE OF SAID LINDBERGH DRIVE, A DISTANCE OF 30.02 FEET; THENCE S89°53'09"E ALONG THE WEST RIGHT OF WAY LINE OF SAID LINDBERGH DRIVE, A DISTANCE OF 18.78 FEET; THENCE N00°00'59"E ALONG THE WEST RIGHT OF WAY LINE OF SAID LINDBERGH DRIVE, A DISTANCE OF 242.95 FEET; THENCE S89°59'00"E, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING, SITUATE, LYING AND BEING IN THE COUNTY OF PEORIA AND STATE OF ILLINOIS.